



SARA reference: 2111-26015 SRA  
Council reference: A005867321

13 January 2023

Chief Executive Officer  
Brisbane City Council  
GPO Box 1434  
Brisbane Qld 4001  
dalodgement@brisbane.qld.gov.au

Attention: Mr Ned McDougall

Dear Mr McDougall

## SARA response—369 Gregory Terrace, Spring Hill QLD 4000

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 17 November 2021.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	13 January 2023
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

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Description:	Development permit	Material Change of Use for a Multiple Dwelling (x3 Units) Building Works for Partial Demolition & Extension to Heritage Place
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 8, Division 2, Subdivision 3, Table 1, Item 1 (Planning Regulation 2017) Development application for assessable development under section 15(1), unless the chief executive is the prescribed assessment	

manager for the application

SARA reference: 2111-26015 SRA

Assessment Manager: Brisbane City Council

Street address: 369 Gregory Terrace, Spring Hill QLD 4000

Real property description: Lot 2 on RP58772

Applicant name: Stosco Projects Pty Ltd C/- HAL Architects

Applicant contact details: 3/709 Main Street  
Kangaroo Point QLD 4169  
adam.lockhart@halarchitects.com.au

## Representations

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An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Nikki Brock, Principal Planner, on 34527680 or via email [BrisbaneSARA@dsdilgp.qld.gov.au](mailto:BrisbaneSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Sallie Battist  
Manager

cc Stosco Projects Pty Ltd, [adam.lockhart@halarchitects.com.au](mailto:adam.lockhart@halarchitects.com.au), [jesse.govender@halarchitects.com.au](mailto:jesse.govender@halarchitects.com.au)

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Building Work and Material Change of Use on a Queensland Heritage Place</b>		
Development application for assessable development under section 15(1), unless the chief executive is the prescribed assessment manager for the application—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science – Heritage to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>(a) Existing/Demolition Ground Floor Plan, TP201, Issue N</li> <li>(b) Existing/Demolition Level 2 Floor Plan, TP202, Issue N</li> <li>(c) Proposed Ground Floor Plan, TP209, Issue N</li> <li>(d) Existing TP402, Issue N and proposed South-Eastern Elevation, TP412, Issue N</li> <li>(e) Landscape Development Approval Drawings, L001-L005, Issue F</li> </ul>	At all times
2.	<p>Provide written notice to the Department of Environment and Science at: <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a>, advising when the development authorised under this approval:</p> <ul style="list-style-type: none"> <li>(a) will start</li> <li>(b) has been completed, with a copy of the final inspection certificate of the building works.</li> </ul> <p>All notices must include the SARA referral agency response reference: 2111-26015 SRA.</p>	<ul style="list-style-type: none"> <li>(a) No later than 10 business days prior to the commencement of the building work</li> <li>(b) Within 10 business days of completion of the building work</li> </ul>
3.	<ul style="list-style-type: none"> <li>(a) Complete an external render analysis that: <ul style="list-style-type: none"> <li>i. is prepared by a suitably qualified person who has professional qualifications, training, skills, and experience relevant to identifying and making lime renders particularly on heritage buildings</li> <li>ii. identifies the existing composition of the render, a minimum of 3 samples of each type from the oldest sections of the place, including: <ul style="list-style-type: none"> <li>- the cement, lime and sand ratios</li> <li>- the type of lime used, such as lime putty or hydraulic lime</li> <li>- the additives used such as pozzolan and/or oxides.</li> </ul> </li> <li>iii. includes a drawing identifying the location, depth and height of each sample.</li> </ul> </li> <li>(b) Submit a copy of the external render analysis to <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> or mail to: <ul style="list-style-type: none"> <li>Department of Environment and Science</li> <li>Permit and License Management</li> <li>GPO Box 2454</li> <li>Brisbane Qld 4001.</li> </ul> </li> <li>(c) Carry out any repair works to the render and plaster on early / original walls that are impacted by the development in accordance with the</li> </ul>	Prior to lodging a development application for building works assessed against the <i>Building Act 1975</i> .

	compositions of the relevant material identified in part (a) of this condition.	
4.	<p>(a) A vibration assessment and mitigation report must be prepared by a Registered Professional Engineer of Queensland (RPEQ) who is suitably qualified and can demonstrate experience with vibration impacts on State heritage listed brick masonry buildings. The vibration assessment and mitigation report must:</p> <ol style="list-style-type: none"> <li>i. stipulate the vibration guidelines and maximum vibration levels in accordance with DIN4150-3: 2016 to ensure the vibration effects are set to the levels for sensitive/historic types of structure and to ensure the works do not result in 'minor damage' as defined in DIN4150-3</li> <li>ii. outline the methods proposed to manage vibration and avoid damaging the Queensland heritage place from development including: <ol style="list-style-type: none"> <li>1. identifying any potential damage to the Queensland heritage place caused by the proposed demolition and construction vibration levels</li> <li>2. proposed steps to carry out the demolition and construction works</li> </ol> </li> <li>iii. define aesthetic damage thresholds and structural damage thresholds in accordance with DIN4150-3:2016 and BS7385</li> <li>iv. provide the vibration management controls including: <ol style="list-style-type: none"> <li>1. continuous automated vibration monitoring with loggers noted on a site monitoring plan with vibration at all levels and 'xyz' point locations for each monitoring location</li> <li>2. vibration alarms set below the designated vibration limit (ie. at 80% of the vibration limit)</li> <li>3. vibration limits for less critical activities prior to the commencement of critical activities</li> <li>4. construction methodologies to reduce impact</li> </ol> </li> <li>v. include the reporting periods for vibration monitoring</li> <li>vi. Identify the monthly reporting periods for vibration monitoring of daily vibration result and an assessment by the vibration management consultant.</li> </ol> <p>(b) Submit the vibration assessment and mitigation report to <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> or mail to:  Department of Environment and Science  Permit and License Management  GPO Box 2454  Brisbane Qld 4001</p>	<p>Prior to lodging a development application for building works assessed against the <i>Building Act 1975</i>.</p>
5.	<p>(a) Undertake a full dilapidation inspection by Registered Professional Engineer of Queensland (RPEQ) and a suitably qualified heritage consultant, both having demonstrated experience in State heritage places, to record and measure existing structural damage and aesthetic damage. Classification of existing conditions must align with the classification under BS7385:</p> <ol style="list-style-type: none"> <li>i. Cosmetic (formation of hairline cracks)</li> <li>ii. Minor (formation of large cracks), or</li> <li>iii. Major (damage to structural elements)</li> </ol> <p>The dilapidation report must include an analysis in a tabulated layout which includes individual crack measurements, commentary on aesthetic and/or structural issues, overall and close up photographs of each item.</p> <p>The report will need to address crack monitoring and how this will be</p>	<p>Prior to lodging a development application for building works assessed against the <i>Building Act 1975</i>.</p>

	<p>undertaken and measured with vibration management as detailed in Condition 4 - Vibration Assessment.</p> <p>(b) Provide a copy of the full dilapidation and crack monitoring report to the Department of Environment and Science at: <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a>.</p>	
6.	<p>(a) Prepare a full geotechnical investigation report that identifies the sites rock geology and assesses the probability and potential severity of damage, to the Victoria Flats from the proposed development.</p> <p>(b) The investigation must:</p> <ol style="list-style-type: none"> <li>i. Be authored by a RPEQ Geotechnical/Civil/Structural Engineer</li> <li>ii. Consist of a series of bore holes located within 2m of the adjoining State heritage boundary that must extend to a minimum depth of 1m below the proposed lowest basement footing relative level (RL) or impenetrable rock, whichever comes first</li> <li>iii. Assesses the structural systems and construction methodologies for the proposed construction works.</li> </ol> <p>(c) Provide a copy of the geotechnical investigation report to the Department of Environment and Science at: <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a>.</p>	<p>(a) and (b) Prior to lodging a development application for building works assessed against the <i>Building Act 1975</i>.</p> <p>(c) 10 business days after the timing under part (a) of this condition</p>
7.	<p>Where the development works require the removal of medium to high strength rock within 3.5m (horizontal setback to the depth of excavation) of the existing Victoria Flats foundations, the following construction methodologies are not permitted, unless the reporting submitted in accordance with Condition 4 - Vibration Assessment demonstrates that these construction methodologies can be undertaken without causing vibration induced structural or aesthetic impacts on the Victoria Flats:</p> <ol style="list-style-type: none"> <li>(a) Use of heavy plant and excavation methods</li> <li>(b) D11 tractor in combination with rock breaking equipment</li> <li>(c) Blasting or ripping by heavy tractors or large rock breakers.</li> </ol>	For the duration of the works
8.	<p>(a) The proposed rear balconies and stairs must be constructed in a self-supporting manner and must not be structurally tied into the Victoria Flats building.</p> <p>(b) A separating layer (such as a polyethylene foam mechanical break) must be installed between the existing building and proposed slabs on ground abutting the rear of the Victoria Flats.</p>	For the duration of the works
9.	<p>The replanting species for the Flats Garden Setting must be carried out in accordance with section 4.0 of Victoria Flats Revised Garden Proposal 2022 – Initial Heritage Assessment prepared by Catherine Brouwer Landscape Architects dated September 2022.</p>	For the duration of the works
10.	<p>(a) Protect the rough cast and smooth stucco render, decorative external wall motifs, terracotta tiled roof awning, awning/wall flashing, downpipe located on the rear external wall of the Queensland Heritage Place.</p> <p>(b) Protection of the rough cast and smooth stucco render, decorative external wall motifs, terracotta tiled roof awning, awning/wall flashing, downpipe must be undertaken by applying the following methods:</p> <ol style="list-style-type: none"> <li>i. rough cast and smooth stucco render –the use of modern cement</li> </ol>	For the duration of the works

	<p>renders is strictly prohibited, removal of any existing chemset or expanding bolts from the rear staircase must be removed by overdrilling the bolt or sleeve and filling the hole in accordance with condition 18 - reconstruction</p> <p>ii. decorative external wall motifs terracotta tiled roof awning, awning/wall flashing, downpipe – works to these elements are limited to the General Exemption Certificate (GEC) - <a href="https://www.qld.gov.au/data/assets/pdf_file/0017/66212/genex_certificate.pdf">https://www.qld.gov.au/data/assets/pdf_file/0017/66212/genex_certificate.pdf</a>.</p>	
11.	<p>The early/original features of cultural heritage significance that are identified to be demolished under this application and which affects elements proposed to be retained, any damage or repair to the retained elements must replicate the early/original features of cultural heritage significance by being:</p> <ol style="list-style-type: none"> <li>i. constructed out of an identical material</li> <li>ii. identical in shape, form, dimension and detail</li> <li>iii. equivalent in fixing(s) such that any significant hardware is replaced at the same location and in the same method</li> <li>iv. identical in finish or a suitable alternative finish that has been approved through an-exemption certificate</li> <li>v. equal in operation to early/original features.</li> </ol>	For the duration of the works

## Attachment 2—Advice to the applicant

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.
2.	Section 89 of the <i>Queensland Heritage Act 1992</i> requires “a person who discovers a thing the person knows or ought reasonably to know is an archaeological artefact or underwater cultural heritage artefact that is an important source of information about an aspect of Queensland’s history”, to give the chief executive of the Department of Environment and Science notice in the approved form, and as soon as practicable after the discovery at email <a href="mailto:archaeology@des.qld.gov.au">archaeology@des.qld.gov.au</a> or phone 13 QGOV (13 74 68) to report a find. Information to report a discovery is available from <a href="http://www.qld.gov.au">www.qld.gov.au</a> – search ‘Report a discovery’.
3.	The existing decorative colour scheme of the Victoria Flats must be maintained in accordance with the General Exemption Certificate (GEC) - <a href="https://www.qld.gov.au/_data/assets/pdf_file/0017/66212/genex_certificate.pdf">https://www.qld.gov.au/_data/assets/pdf_file/0017/66212/genex_certificate.pdf</a> . Where a change to the colour scheme is proposed, a historical decorative paint recording is required to support the change. The new scheme must maintain the number and locations of the historical decorative colours whilst also maintaining the value and saturation/chroma of the historical colours.
<b>Further development permits required</b>	
4.	A development permit for any building work necessary to implement the material change of use is required to be obtained before the development can be carried out, and the permit application must be referred to the Chief Executive administering the <i>Planning Act 2016</i> .
5.	A development permit for building work is required to be obtained before the development can be carried out, and the permit application must be referred to the Chief Executive administering the <i>Planning Act 2016</i> .
6.	It is an offence under section 163 of the <i>Planning Act 2016</i> , to carry out assessable development, unless all necessary development permits are in effect for the development.

## **Attachment 3—Reasons for referral agency response**

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(Given under section 56(7) of the *Planning Act 2016*)

### **The reasons for the department's decision are:**

- The proposed building work complies with PO1 and PO3 of State code 14: Queensland heritage.
- Adverse impacts on the cultural heritage significance of the heritage place will be minimised as the works will retain the significant building in its entirety, aside from the rear stairs and concrete path which, although in their original configuration, are not original building fabric.
- The inclusion of conditions will ensure works are of an acceptable standard and maintained at all times.

### **Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 3.0), as published by SARA
- The Development Assessment Rules (v1.3)
- SARA DA Mapping system.

## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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