



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: DEV2018/977

14 March 2019

TPG Telecom Limited
C/- Urbis Pty Ltd
Att: Mr Andrew Kennedy
123 Albert Street
BRISBANE QLD 4000

Via e-mail: akennedy@urbis.com.au

Dear Andrew

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – TELECOMMUNICATION FACILITY AT ADJACENT TO 99 GEORGE STREET, BRISBANE DESCRIBED AS ADJACENT TO LOT 19 ON B118241

On 14 March 2019 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*. The 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 website <https://www.dsdmip.qld.gov.au/edq/priority-development-area-development-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Karina McGill on 3452 7518.

Yours sincerely

Beatriz Gomez
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information	
Name of priority development area (PDA)	Queen's Wharf Brisbane
Site address	Road reserve adjacent to 99 George Street, Brisbane
Lot on plan description	Lot number and Plan description Road reserve adjacent to Lot 19 on B118241
PDA development application details	
DEV reference number	DEV2018/977
'Properly made' date	13 December 2018
Type of application	☒ New development involving: ☒ Material change of use ☐ Preliminary approval ☒ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☐ Changing a PDA development approval ☐ Extending the currency period of a PDA approval
Description of proposal applied for	Material Change of Use – Telecommunication facility

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		14 March 2019	
Currency period		6 years from 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.	Information Sheet prepared by Urbis	QLD20769-C1 RevA	21.08.18
2.	Construction Notes prepared by Urbis	QLD20769-C2 RevA	21.08.18
3.	Plan Views prepared by Urbis	QLD20769-C3 RevA	21.08.18
4.	Site Elevations prepared by Urbis	QLD20769-C4 RevA	21.08.18
5.	Site Photographs – External Sheet 1 of 1 prepared by Urbis	QLD20769-C6 RevA	21.08.18

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 is to:
 - 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, DSDMIP 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, DSDMIP 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, DSDMIP 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, DSDMIP **within 20 business days** from the date of the notice.
 - v. **within 20 business days** – EDQ Development Assessment, DSDMIP 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, DSDMIP 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.
 - vii. Despite note vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DSDMIP endorses relevant plans/supporting information.

ABBREVIATIONS AND DEFINITIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

1. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by the Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
2. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a. **External Authority** means a public-sector entity external to the MEDQ;
 - b. **Parkland** means carrying out operational works related to the provision of parkland infrastructure
 - c. **Roadworks** means carrying out any operational works within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d. **Sewer Works** means carrying out any operational works related to the provision of waste water infrastructure;
 - e. **Streetscape Works** means carrying out any operational works within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f. **Stormwater Works** means carrying out any operational works related to the provision of stormwater infrastructure; and
 - g. **Water Works** means carrying out any operational works related to the provision of water infrastructure.
3. **Council** means Brisbane City Council.
4. **DES** means the Department of Environment and Science.
5. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
6. **EDQ** means Economic Development Queensland.
7. **MEDQ** means the Minister for Economic Development Queensland.
8. **PDA** means Priority Development Area.

PDA Development Conditions		
No.	Condition	Timing
1.	Carry out the Approved Development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to commencement of use
2.	Certification of Operational Works All operational works, for contributed assets, undertaken in accordance with this approval are to comply with all requirements of and fulfil all responsibilities outlined in the <i>Certification Procedures Manual</i> .	As required by the <i>Certification Procedures Manual</i>
3.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	At all times
4.	Excavation: Archaeological Management and Monitoring Where trenching or disturbance of the existing ground surface is proposed an appropriately qualified and experienced archaeologist must be on-site to monitor the works. <i>Advice note: All archaeological artefacts which are discovered requires handling in accordance with s.89 of the Queensland Heritage Act 1998.</i>	At all times during trenching works or any works involving the disturbance of the existing ground works
5.	Construction Hours Unless otherwise agreed to in writing by the MEDQ, construction hours for works will be limited to Monday to Saturday 6:30am to 6:30pm, excluding public holidays.	As indicated
6.	Compliance Assessment – Out-of-Hours Works a) Submit to the MEDQ for Compliance Assessment all requests for Out-of-Hours construction works. Requests must be submitted on the EDQ Out-of-Hours Application Form and be accompanied by the following information: i. Reason for the request; ii. Site plan(s), where applicable iii. Demonstration that the proposed works can only reasonably or safely be undertaken out of normal construction hours;	a) No less than 10 business days prior to the proposed works, unless demonstrated mitigating circumstances deem otherwise

	iv. Potential adverse impacts and proposed mitigation strategies/measures; and v. A community engagement strategy and outcomes therefrom. b) Undertake all Out-of-Hours Works in accordance with the approval obtained under part a) of this condition.	b) As indicated
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STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval, i.e. Council's *Advertisements Local Law 2013* applies over this site. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

Any works within the road reserve require the relevant Council permits.

**** End of Package ****