



Department of
**State Development, Infrastructure,
Local Government and Planning**

Our ref: DEV2023/1406

2 June 2023

Portside Wharf Commercial CTS 36242
C/- Urbis Pty Ltd
Att: Mr Alex Moody
Level 32, 300 George Street
BRISBANE QLD 4000

Email: amoody@urbis.com.au

Dear Alex

S89(1)(a) Approval of PDA development application

PDA Development Permit for Operational Work for Public Realm Works and Building Work for Licensed Seating Area at 35A Harbour Road, Hamilton described as Lot 817 on SL3772

On 2 June 2023, pursuant to s.85(4)(b) of the *Economic Development Act 2012*, the Minister for Economic Development Queensland (MEDQ) decided to grant **all** of the PDA development application applied for, in accordance with the attached 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 at www.dsdlgp.qld.gov.au/pda-da-applications.

If you require any further information, please contact Marissa Bais, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7344 or at Marissa.Bais@dsdlgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

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

PDA Decision Notice

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	35A Harbour Road, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 817	SL3772
PDA development application details		
DEV reference number	DEV2023/1406	
'Properly made' date	29 May 2023	
Type of application	☒ PDA development application for: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☒ Operational work ☐ Preliminary approval ☒ Development permit ☒ Building work ☐ Preliminary approval ☒ Development permit ☐ Application to change PDA development approval ☐ Application to extend currency period	
Proposed development	Construction of Licenced Seating Area and public realm works	
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	2 June 2023	
Currency period	2 years from the date of the decision	

Approved plans and documents

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

Approved plans and documents		Number	Received Date
1.	PORTSIDE RETAIL – SCHEDULE 01	Rev E	24/05/2023
2.	CENTRAL WHARF PLAZA - GA DEMO PLAN prepared by Cavill Architects	DWG NO. A-08-002 REV.G	24/05/2023
3.	CENTRAL WHARF PLAZA - GA Plan prepared by Cavill Architects	DWG NO. A-08-101 REV.H	24/05/2023
4.	CENTRAL WHARF PLAZA - GA RCP prepared by Cavill Architects	DWG NO. A-08-201 REV.F	24/05/2023
5.	CENTRAL WHARF - GA ELEV prepared by Cavill Architects	DWG NO. A-08-301 REV.E	24/05/2023
6.	CENTRAL WHARF PLAZA - GA SCTN prepared by Cavill Architects	DWG NO. A-08-401 REV.F	24/05/2023
7.	DETAILS - TYPICAL LSA SHELTER prepared by Cavill Architects	DWG NO.A-03-001 REV.L	24/05/2023
8.	DETAILS - TYPICAL LSA SHELTER	DWG NO.A-03-002 REV.D	24/05/2023
9.	DETAILS - TYPICAL AWNING EXTENSION & PLANTERS prepared by Cavill Architects	DWG NO.A-03-021 REV.D	24/05/2023
10.	Plant Palette	Drawing No. 920 REV B	24/05/2023
11.	DETAILS - TYPICAL BOLLARD & HANDRAILS prepared by Cavill Architects	DWG NO.A-03-041 REV.D	24/05/2023
12.	Schematic Design Report, Portside Wharf prepared by Cavill Architects	Issue C	13/10/2022

Preamble, abbreviations, and definitions

PREAMBLE

Nil or insert preamble

ABBREVIATIONS AND DEFINITIONS

The following is a list of abbreviations utilised in this approval:

COUNCIL means the relevant local government for the land the subject of this approval.

DSDILGP means the Department of State Development, Infrastructure Local Government and Planning.

EDQ means Economic Development Queensland.

EDQ DA means Economic Development Queensland's – Development Assessment team.

EDQ IS means Economic Development Queensland's – Infrastructure Solutions team.

EP Act means the *Environmental Protection Act 1994*.

MEDQ means the Minister for Economic Development Queensland.

PDA means Priority Development Area.

RPEQ means Registered Professional Engineer of Queensland.

Compliance assessment

Where a condition of this 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 EDQ Development Assessment Fees and Charges Schedule¹ (as amended from time to time).
 - ii) submit to EDQ DA a duly completed Compliance Assessment form².
 - iii) submit to EDQ DA the documentation as required under the relevant condition.
- b) Where EDQ is satisfied the documentation submitted for Compliance Assessment meets the requirements of the relevant condition (or element of the condition), EDQ will endorse the documentation and advise by written notice.
- 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) applicant submits items required under a) above to EDQ DA for Compliance Assessment.
 - ii) **within 20 business days** – EDQ assesses the documentation and:
 - 1. if satisfied, endorses the documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.
 - iii) if the applicant is notified under ii.2. above, revised documentation must be submitted **within 20 business days** from the date of notification.
 - iv) **within 20 business days** – EDQ assesses the revised documentation and:
 - 1. if satisfied, endorses the revised documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.
 - v) where EDQ notifies the applicant as stated under iv.2. above, repeat steps iii. and iv. 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 v. above, the condition (or element of the condition) is determined to have been met only when EDQ endorses relevant documentation.

¹ The EDQ Development Assessment Fees and Charges Schedule is available at EDQ's website.

² The Compliance Assessment form is available at EDQ's website. It sets out how to submit documentation for Compliance Assessment and how to pay Compliance Assessment fees.

Submitting documentation to EDQ

Where a condition of this approval requires documentation to be submitted to either EDQ DA or EDQ IS, use the following email addresses:

- a) EDQ DA: pdadevelopmentassessment@dsdilgp.qld.gov.au
- b) EDQ IS: EDQ_PrePostConstruction@dsdilgp.qld.gov.au

PDA development conditions

No.	Condition	Timing
1.	Carry out the approved development Carry out the approved development generally in accordance with the approved plans.	Prior to expiration of the currency period
2.	Maintain the approved development Maintain the approved development generally in accordance with: a) the approved plans and documents; and b) any other documentation endorsed via Compliance Assessment as required by these conditions.	At all times following construction
3.	Hours of work - construction Construction hours for the approved development are limited to Monday to Saturday between 6:30am to 6:30pm, excluding public holidays.	As indicated
4.	Public access Provide and maintain an eight metre unobstructed setback from the balustrade to the vertical projection of the licenced seating area structure for public access as indicated on the approved plans.	As indicated.
5.	Extent of glazing a) Fixed and openable glazing is to only be installed where illustrated on the approved plans for a maximum of fifty percent of the licenced seating area boundary. b) Fifty percent of the glazed façade must be able to be fully open.	At all times.
6.	RPEQ Construction Plans a) Submit to EDQ IS, detailed construction plans certified by a RPEQ, demonstrating that there are no impacts to the structural stability of wharf and basement structures. b) Construct the approved structures generally in accordance with part (a) of this condition. c) Submit to EDQ IS, certification by a RPEQ that all construction works have been carried out generally in accordance with the certified plans under part (a) of this condition.	a) Prior to commencement of site works b) During construction c) Prior to issue of Certificate of Classification/ Final Inspection Certificate

PDA development conditions		
No.	Condition	Timing
	b) Implement and maintain all measures implemented under part (a) of this condition.	b) As indicated
9.	Public infrastructure (damage, repairs and relocation) a) Repair any damage to existing public infrastructure caused by works carried out in association with the approved development. b) Should existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards. <i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i>	a) Prior to practical completion b) Prior to practical completion

Advice

The applicant is to obtain at its cost all necessary approvals and fulfil any legal requirements to enable the development works to proceed, including revision of the wharf easement and/or wharf lease documents, as required.

STANDARD ADVICE

Please note that 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 ****