

Our ref: DEV2015/668

25 June 2015

Economic Development Queensland
C/- Ms Anna Havill
Saunders Havill Group
9 Thompson Street
BOWEN HILLS QLD 4006

Dear Anna

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - TEMPORARY ACTIVITY (WAREHOUSE – STORAGE OF BUILDING MATERIALS) AT 95 CULLEN AVENUE WEST, HAMILTON DESCRIBED AS LOT 1 ON SP104140

On 24 June 2015 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*. 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 of Infrastructure, Local Government and Planning website <http://dilgp.qld.gov.au/planning/development-assessment/priority-development-area-development-approvals.html>.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Gerard McCafferty on 3452 7424.

Yours sincerely



Lyndy Rapson
A/Director – EDQ Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	95 Cullen Avenue West, Hamilton	
Lot on plan description	Lot number	Plan description
	1	SP104140
PDA development application details		
DEV reference number	DEV2015/668	
'Properly made' date	10 April 2015	
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	Temporary Activity (Warehouse - storage of building materials)	

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		24 June 2015	
Currency period		4 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.	Lease Area T1 in Lot 1 on SP104140(95 Cullen Avenue West, Hamilton	BRSS4250.000-077 Rev C	11/02/2015

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 must 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).
- b) Compliance assessment and endorsement by EDQ Development Assessment, DILGP 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, DILGP 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, DILGP 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, DILGP **within 20 business days** from the date of the notice.
- v. **within 20 business days** – EDQ Development Assessment, DILGP 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, DILGP 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.

Despite note vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DILGP endorses relevant plans/supporting information.

ABBREVIATIONS

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

1. **Certification Procedures Manual** means Certification Procedures Manual, prepared by The Department of State Development, Infrastructure and Planning, September 2013 (as amended from time to time).
2. **Council** means Brisbane City Council.
3. **DILGP** means The Department of Infrastructure, Local Government and Planning.
4. **EDQ** means Economic Development Queensland.
5. **MEDQ** means The Minister of Economic Development Queensland.
6. **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/or documents.	Prior to commencement of use and to be maintained
2.	Maintain the approved development Maintain the approved development (including parking, driveways and other external spaces) generally in accordance with the approved drawings(s) and/or documents, and any relevant engineering or other approval/s required by the conditions.	As indicated
3.	Duration of Temporary Uses (5 years) a) The uses approved by way of this PDA Development Permit are on a temporary basis and must cease operation by 24 June 2020. b) Remove site improvements and rehabilitate the site to its original state.	a) As indicated b) Prior to 24 June 2020
4.	Compliance Assessment – Temporary Site Improvements Where the installation of temporary site improvements	Prior to commencement of use

	(shipping containers, skip bins and fencing) are required on site, submit for compliance assessment to EDQ Development Assessment, DILGP, a plan identifying the proposed layout including location of any site improvements and car parking.	
5.	Licence Agreement or Lease with Landowner Enter into and comply with the terms of the Licence Agreement or Lease executed with the landowner.	Prior to commencement of use and to be maintained
6.	Stormwater Temporary site improvements are to cause 'no-worsening' to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability (AEP).	Prior to commencement of use and to be maintained
7.	Damage and Repairs Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drainage lines) that occurred during any works carried out in association with the approved development.	Prior to commencement of use
8.	Outdoor Lighting The design and installation of any outdoor lighting complies with the requirements of AS4282 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	As indicated and to be maintained
9.	Vehicle Access Construct a vehicle crossover designed and constructed in accordance with Council's adopted standards.	Prior to commencement of use and to be maintained

STANDARD ADVICE

Please note that in order 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 ****

