



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2014/615

8 September 2016

Northshore Hamilton Town Centre Pty Ltd
C/- Mr Peter Tarlinton
Jensen Bowers Group
PO Box 799
SPRING HILL QLD 4004

Dear Peter

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – CAR PARK (TEMPORARY USE) AT 66 AND 66A CULLEN AVENUE, EAGLE FARM DESCRIBED AS LOT 100 ON SP275551 AND LOT 1093 ON SL8401

On 8 September 2016 the Minister for Economic Development Queensland (MEDQ) decided to grant all of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can be viewed in the MEDQ Development Approvals Register via the Department of Infrastructure, Local Government and Planning website <http://www.edq.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

A handwritten signature in dark ink, appearing to read "J. Stone", written in a cursive style.

Jeanine Stone
Director – EDQ Development Assessment

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	66 and 66A Cullen Avenue	
Lot on plan description	Lot number	Plan description
	100	SP275551
	1093	SL8401
PDA development application details		
DEV reference number	DEV2014/615	
'Properly made' date	22 April 2016	
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	Car Park (temporary Use)	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ▪ Amendment to the car park layout ▪ Amendment to the landscaping ▪ Addition of new parking on the site ▪ Amendment to condition 10 – Stormwater drainage ▪ Amendment to condition 16 – Infrastructure contributions
Original Decision date	16 February 2015
Change to approval date	8 September 2016
Currency period	4 years from original decision date

Plans and documents

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

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Landscape Plan	1412-LP1, Issue B	December 2014
2.	Landscape Plan	1412-LP2, Issue B	December 2014
3.	66 Cullen Avenue Eagle Farm Proposed At-Grade Parking Facility Amended Parking Layout	MFY_15-0400_02_SH01	14.04.2016
4.	Stormwater Management Plan Addendum, Sheet 1 of 2	YBC0180-SWMP-001a Rev A	31/03/16
5.	Stormwater Management Plan Addendum, Sheet 2 of 2	YBC0180-SWMP-002a Rev A	31/03/16
Plans and documents previously approved on 16 February 2015.		Number (if applicable)	Date (if applicable)
1.	Elevations	SD.3001 Issue B	30/10/14
2.	Elevations	SD.3002 Issue B	30/10/14
3.	Ground Floor Plan	DD.2101 Issue P1	10/12/14
4.	Bus collection and amenities floor plan	DD.2102 Issue P1	11/12/14
5.	Bus collection and amenities elevations	DD.3003 Issue P1	11/12/14
6.	Engineering Services Report Letter by Sedgman Yeats	YBC0180_66 Revision B	16/12/2014

7.	Stormwater Drainage Layout Plan Sheet 1 of 2 prepared by Sedgman Yeats	YBC0180-C-400 revision C	11/02/15
8.	Stormwater Drainage Layout Plan Sheet 2 of 2 prepared by Sedgman Yeats	YBC0180-C-401 revision C	11/02/15
9.	Site Based Stormwater Management Plan by Sedgman Yeats	YBC0180_SBSMP Cullen Avenue_R01	10 Oct. 2014

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 this Approval, the following is a list of abbreviations utilised in the conditions:

1. **AILA** means Australian Institute of Landscape Architects
2. **Council** means Brisbane City Council.
3. **CPESC** means Certified Professional in Erosion and Sediment Control
4. **DILGP** means The Department of Infrastructure Local Government and Planning.
5. **EDQ** means Economic Development Queensland
6. **ESCP** means Erosion and Sediment Control Plan
7. **MEDQ** means The Minister of Economic Development Queensland.
8. **PDA** means Priority Development Area.
9. **RPEQ** means Registered Professional Engineer of Queensland.
10. **QUU** means Queensland Urban Utilities.

PDA Development Conditions		
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.	Compliance Assessment – Duration of Temporary Uses (10 years) a) The uses approved by way of this PDA Development Permit are on a temporary basis and must cease operation by 16 February 2025. b) Submit to EDQ Development Assessment, DILGP, for compliance assessment, a decommissioning strategy outlining how all buildings and constructed infrastructure as a result of the PDA Development Approval will be removed and the site rehabilitated to its original state, at the conclusion of the use / duration of the PDA Development Approval. c) Carry out all necessary works generally in accordance with the endorsed decommissioning strategy required under part b) of this condition.	a) As indicated b) prior to 16 November 2024 c) Prior to 16 February 2025
4.	General Development Works Repair any damage to existing kerb and channel, footpath, roadway and other infrastructure that may occur during any works carried out in association with the approved activities.	Prior to commencement of use
5.	Safety and Risk Assessment Report a) Submit to EDQ Development Assessment DILGP, a safety and risk assessment report prepared by a suitably qualified professional assessing the associated risks on the development from the fuel storage facilities identified in Map 8 of the <i>Northshore Hamilton PDA Development Scheme</i> . The safety and risk report must detail all proposed buildings, plantings and other physical measures, and operational and management measures to mitigate potential impacts of the listed activities. b) Implement the recommendations and strategies outlined in the report required under part a) of this condition.	a) Prior to commencement of use b) As indicated and to be maintained

Engineering		
6.	Compliance Assessment – Traffic Engineering a) Submit for compliance assessment to EDQ Development Assessment, DILGP the following RPEQ certified plans: i. A line and sign plan for the Cullen Ave West and Curtin Ave intersection. ii. A car park layout plan generally in accordance with <i>AS2890.1:2004 Parking Facilities – Off Street Parking</i> . b) Construct the works generally in accordance with the certified plans required under part a) of this condition. c) For all works on public roads, submit to EDQ Development Assessment, DILGP 'as-constructed' drawings, including an asset register, certified by a RPEQ generally in accordance with Council standards.	a) Prior to the commencement of site works b) Prior to commencement of use c) Prior to commencement of use
7.	Public Access within and around the site Provide and maintain unimpeded and safe public access, within and around the site and ensure that access ways are designed to cater for disabled persons in accordance with AS1428.1.	Prior to commencement of use and to be maintained
8.	Water connection Connect the development to the existing water reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
9.	Sewer connection Connect the development to the existing sewer reticulation network in accordance with QUU current adopted standards.	Prior to commencement of use
10.	Stormwater Drainage Undertake stormwater works and connect into the existing drainage system generally in accordance with the RPEQ certified approved plans: i. Stormwater Management Plan Addendum Sheet 1 of 2, prepared by Sedgman Yeats, drawing no. YBC0180-SWMP-001a, revision A, dated 31/03/16 ii. Stormwater Management Plan Addendum Sheet 2 of 2, prepared by Sedgman Yeats, drawing no. YBC0180-SWMP-002a, revision A, dated 31/03/16	Prior to the commencement of use and to be maintained

11.	Electricity Submit to EDQ Development Assessment, DILGP either: a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the development; or b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.	Prior to commencement of use
12.	Telecommunications Submit to EDQ Development Assessment, DILGP documentation from an authorised telecommunication service provider confirming that satisfactory agreements have been made for the provision of underground telecommunication services to the proposed development.	Prior to commencement of use
13.	Outdoor Lighting The design and installation of any outdoor lighting shall be generally in accordance with the requirements of AS4282 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	As indicated and to be maintained
14.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DILGP an ESCP certified by a RPEQ or CPESC generally in accordance with Council's <i>Erosion and Sediment Control Standard (Version 9 or later)</i> . b) Implement the certified ESCP as required under part a) of this condition.	a) Prior to commencement of site works b) At all times during construction
15.	Refuse Collection Submit to EDQ Development Assessment, DILGP refuse collection approval from Council or a private waste contractor.	Prior to commencement of use

Infrastructure Contributions

16. Infrastructure Contributions

The applicant must pay to the Minister for Economic Development Queensland (MEDQ) infrastructure charges in accordance with the Infrastructure Funding Framework, December 2014 and indexed to the date of payment:

Use	Rate	Area	Total (14/15)
Carpark	\$10 per m2 of additional impervious area	3064m ² additional impervious area	\$30,640

Advice: Each July, infrastructure charges will be indexed in accordance with the annual rate of the 3 year rolling average – expressed as a percentage to four (4) decimal places - of the movement of the Road and Bridge Construction Index (Queensland) calculated from that March which is three (3) years prior to the first March in the current financial year, to the first March in the current financial year.

Prior to commencement of use

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 ****