



Queensland Government
Sport and Recreation Queensland

STATE APPROVALS TEAM TENNYSON RIVERSIDE DEVELOPMENT

Terms of Reference

QFCI

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Sport and Recreation Queensland

October 2005

1. Introduction

To fulfil its obligations under the Development Agreement for the Tennyson Riverside Development (TRD), the State is required to establish a State Approvals Team to provide assistance in facilitating the approval process if requested by Mirvac.

2. Background

On 27 June 2005, the Queensland Government announced Mirvac Queensland Pty Limited (Mircvac) as the preferred developer for the TRD comprising an international-standard State Tennis Centre (STC), transport and access infrastructure and associated development on the former Tennyson Power Station (TPS) site. The associated development will include approximately 385 high-quality residential apartments and a gymnasium, to be developed by Mirvac on a staged basis over the period 2008 to 2011.

The STC will include:

- an international-standard centre court with 5,500 permanent seats and a capacity to bump in an additional 1,500 temporary seats;
- 22 match and training courts (including 16 acrylic hardcourts, four clay and two grass courts);
- venue management, corporate, commercial and support facilities, including change rooms, a pro shop, cafe, media facilities and function rooms; and
- administrative offices for Tennis Queensland.

The STC is expected to be completed by the end of 2008 and operational in early 2009.

The Government will own the infrastructure and land for the STC and appoint Tennis Queensland to operate the facility. Land for the associated development will be made available under appropriate tenure arrangements to Mirvac.

The development of the STC is governed by two contractual agreements, the Development Agreement and the Early Works Agreement.

Early Works Agreement

The State has appointed Mirvac as its contractor for the demolition of the TPS building and remediation of the TPS site. Mirvac is required to identify all approvals, develop an approvals program and obtain the approvals in accordance with that program.

Demolition work and any civil or earthworks required will be exempt or self-assessable State works under the *Integrated Planning Act 1997* and will not require development approval.

Development Agreement

The State has appointed Mirvac to develop the TRD. Mirvac is also responsible for the provision of all transport and access infrastructure necessary to support the TRD with the exception of a pedestrian overpass to Yeerongpilly Railway Station that will be managed by Queensland Rail.

Mirvac is also responsible under the Development Agreement for obtaining all necessary approvals which includes undertaking the following actions:

- applying for the development and material change in use (MCU) approval in accordance with the approvals program;
- diligently pursuing the applications for the development approval;
- diligently carrying out all associated activities, including those activities needed to:
 - i. resolving any native title and cultural heritage requirements; and
 - ii. have the STC site either taken off the environmental management register or establish that the use of STC is permissible in accordance with the terms of an approved site management plan;
- keeping the State informed about the progress of the applications for approvals and associated activities, including details of meetings held and to be held with Brisbane City Council (BCC);
- promptly notifying the State of any material changes to the plans, drawings and diagrams or conditions of an approval required by an authority; and
- promptly notifying the State of the result of the applications and associated activities and if requested give the State a copy of the development approval or document recording the outcome of the associated activity.

3. Cabinet Budget Review Committee (CBRC) Approval

CBRC was informed on 9 September 2005 that:

- Mirvac is responsible for obtaining all approvals for the project and will undertake a series of workshops with the BCC to seek advice on its proposal;
- the State will establish an inter-departmental State Approvals Team to provide advice to Mirvac on the timing and nature of approvals for the project and will conduct regular meetings with the BCC regarding Mirvac's compliance with the approval process. This process will assist the State to identify any major slippage in the timeframes and consider alternatives; and
- the Development Agreement provides for the State to appoint an experienced State Representative to monitor the performance of the works.

4. Scope

The Development Agreement places the responsibility on Mirvac to obtain project approvals, although a State Approvals Team will be established to provide assistance in identifying and ensuring the timely delivery of approvals required for the TRD.

The Development Agreement states Mirvac may at any time advise the State of actual or anticipated significant delays in obtaining the development approval, and request that the State provide assistance in facilitating the process. With any such request, Mirvac shall provide the State's Representative with a status report on the current position (including all material correspondence and information, the reasons for the delay, the steps being taken to obtain the development approval and the most likely date it will be obtained), after which the State's Representative will take all reasonable steps available to facilitate Mirvac obtaining the development approval by the date for development approval, currently 1 August 2006.

4.1 Objective

The objective of the State Approvals Team is to advise Mirvac on the timing and nature of approvals for the TRD. In meeting this objective, the State will ensure Mirvac has access to the relevant State agencies and key personnel and information required for it to obtain all approvals by the date for development approval. By doing so, the State does not assume any risk or responsibility in the approval process.

5. Membership

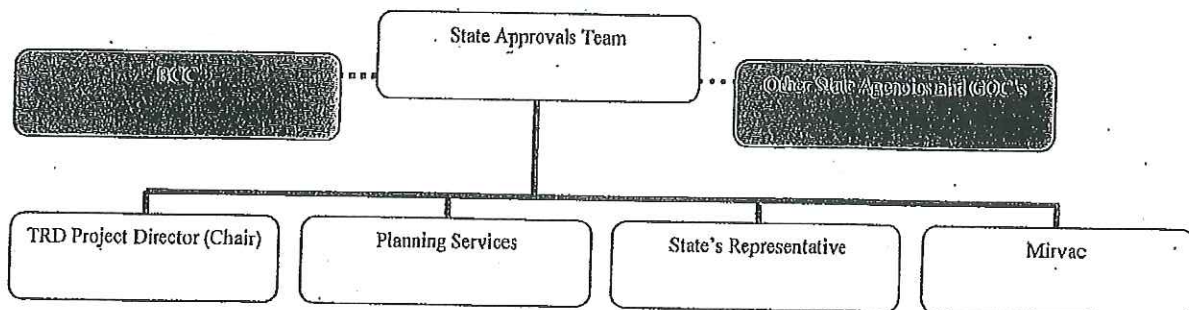
Primary membership consists of:

- TRD Project Director (Chair);
- Mirvac;
- Department of Local Government, Planning Sport and Recreation (Planning Services); and
- State's Representative.

Other potential members, on an as needs basis, may include:

- State agencies
 - Environmental Protection Agency;
 - Queensland Transport;
 - Department of Primary Industries and Fisheries;
 - Fair Trading;
 - Department of Natural Resources and Mines; and
 - Department of Industrial Relations.
- Government Owned Corporations (GOC's)
 - Queensland Rail;
 - Powerlink; and
 - Energex.
- BCC

6. Organisational Chart



7. Roles and Responsibilities

The following roles have been established for the State Approvals Team.

Project Director

- The Project Director is to Chair the State Approvals Team; and
- liaise with State agencies, GOC's and BCC in relation to approval matters.

Mirvac

- Mirvac is responsible for obtaining all approvals for the TRD; and
- notifying the State's Representative of any actual or anticipated significant delays in obtaining development approval and request assistance from the State in facilitating approvals as required.

Planning Services

- Planning Services will provide advice to the State Approvals Team on State approval requirements, planning scheme interpretation, relevant legislation and precedents in relation to approvals as required; and
- identify key State agencies and personnel to assist in facilitating approvals as and when required.

State's Representative

- The State's Representative will serve as the State's primary point of contact with Mirvac with respect to all aspects of the performance of the works that include the STC, transport and access infrastructure and associated development; and
- participate on the State Approvals Team and take all reasonable steps available to facilitate Mirvac obtaining development approval by the date for development approval.

Other State agencies

- Relevant State agencies will provide advice on as as-needed basis in relation to application requirements and the status of applications; and
- prioritise agency resources to expediently consider approval applications and respond to enquires and resolve issues where necessary.

Brisbane City Council

- BCC will provide timely and regular advice to the State and Mirvac on all matters relating to the application for Development Approval and application for MCU;
- identify and advise the State Approvals Team of any BCC priorities or contentious issues that may relate to applications and conditions that may be imposed on the approval; and
- prioritise resources to expediently consider Mirvac's development approval application to facilitate Mirvac obtaining development approval by 1 August 2006.

8. Reporting and meetings

- Meetings of the State Approvals Team will be convened in response to a request from Mirvac, the State or BCC.
- Meetings will be chaired by the TRD Project Director in consultation with the State's Representative.
- Representatives of other State agencies, GOC's and BCC will be invited to attend on an as needs basis depending upon the approval issues to be discussed.
- Post State Approvals Team meetings, the Mirvac will report any key issues and actions back to the Project Control Group.