

ANNEXURE E -

Copy of Third Party Advice Responses



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MBN12/1619

20 DEC 2012

Mr Stuart Duncan
Principal Advisor (Development Assessment)
Department of Transport and Main Roads
PO Box 1600
Sunshine Plaza Post Shop
MAROOCHYDORE QLD 4558

Dear Mr Duncan

As you may be aware, on 20 December 2012, I exercised my call in powers under section 425 of the *Sustainable Planning Act 2009* (SPA) and called in the development application for a Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development).

The Department of Transport and Main Roads (DTMR) previously gave consideration to the development application as a concurrence agency under the SPA.

I am presently undertaking a re-assessment of the development application and am seeking DTMR's confirmation that it has no further advice or matters to discuss regarding the development application.

I am due to make a decision on the Costco Warehouse development application by 25 February 2013. Accordingly, your response is requested by 10.00am on 8 January 2013.

If you require any further information, Julie Saunders in Planning Services, Department of State Development, Infrastructure and Planning, will assist and can be contacted on 3898 0505.

Yours sincerely

JEFF SEENEY MP
DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

Our ref TMR12-002171
Your ref MBN12/1619
Enquiries 30661539

Department of
Transport and Main Roads

7 January 2013

Mr Jeff Seeney
Deputy Premier
Minister for State Development Infrastructure and Planning

Attention Ms Julie Saunders

Thank you for your letter received by this department 20 December 2012 regarding Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development).

The department has worked collaboratively with the proponent and the Department of State Development and Infrastructure Planning through the course of the development application process that was submitted to Moreton Bay Regional Council.

The Department carried out the development assessment in accordance with the jurisdictions of *Transport Infrastructure Act 1994* and *Transport Planning and Coordination Act 1994*. Subsequently, a concurrence agency response was issued 11 July 2012 that contained a number of development conditions and advisory requirements.

The department requests the concurrence agency response be included as part your department's assessment of the development proposal. Other than those detailed in the response, no additional requirements are sought by this department.

Should you require clarification or further information please do not hesitate to contact Ms Jennifer Rossiter, Director, Development Outcomes on 3066 1539.

Yours sincerely



Anne Moffat
Acting General Manager
Policy and Planning Branch

Melissa Hector

From: Mark Saunders
Sent: Friday, 1 March 2013 5:02 PM
To: 'Jennifer.A.Rossiter@tmr.qld.gov.au'
Cc: 'Anne.E.Moffat@tmr.qld.gov.au'
Subject: FW: Drafted Email to TMR - Costco

Hi Jen

As you are aware, the Deputy Premier has called in the proposed Costco development at North Lakes and is currently re-assessing the application against state interests.

At the time of the Minister's decision, he requested third party advice from the Department of Transport and Main Roads (TMR) in relation to its concurrence agency role during Moreton Bay Regional Council's assessment process.

In your response dated 7 January 2013, you requested that TMR's original concurrence agency response be included as part the Minister's assessment of the development proposal, and advised that no additional requirements were sought.

Since the Minister's decision to call in the development application, some affected parties to the development have written to the department outlining their concerns. Some of these concerns relate to transport matters.

In order to address these concerns adequately, and minimise the risk of any process errors, DSDIP requires TMR's assistance in responding to specific matters raised.

Should TMR have the capacity, it is requested that you consider and provide some advice in response to the traffic impacts asserted to in a number of documents.

The department will organise to have these documents made available to you. A short analysis of the requirements is below.

The Minister is required to finalise his re-assessment by **25 March 2013**. As a result, TMR's advice would be required as soon as possible before this date.

Could you please advise at your earliest convenience whether your team would be able to assist the department with this advice.

Kind regards,

Mark Saunders
Director, Planning Services
Department of State Development, Infrastructure and Planning
Queensland Government
tel +61 7 3222 2368 (ext 22368)
m 0448 637 692
post PO Box 15009 City East Qld 4002
visit Level 6, 63 George Street Brisbane
Mark.Saunders@dsdip.qld.gov.au

Traffic Analysis

..... suggests that the traffic impact of the proposed development has not been properly assessed.

..... describes the TMR conditions as "unusually brief" and that there was a "lack of proper analysis by TMR".

It is our view that this existing Bruce Highway/Boundary Road intersection (which is already a bottle-neck for traffic) is incapable of coping with the level of new vehicle movements that the Costco is projected to generate and that a failure to upgrade this intersection/flyover has the potential to cause serious injury or death as a direct result of vehicles wishing to access the Costco being forced to queue on the Bruce Highway, because the existing very short highway off-ramps will be unable to accommodate enough vehicles and the traffic lights/single

traffic lanes on the overpass will be unable to release sufficient vehicles to clear these off-ramps.

The letter acknowledges that page 23 of the call in notice indicates the application will be referred back to TMR but that there is no indication of the ambit of matters which TMR will be asked to review. The remainder of the substantive part of the letter indicates the matters which [REDACTED] considers that TMR should consider. These are:

- The majority of the North-South Arterial, the major distributor road road in North Lakes has not been built and will not be built at the proposed time of opening of the Costco;
- Most of the traffic wishing to access the Costco will need to do so via the outdated one-lane-each-way flyover/intersection at Boundary Road, which struggles to cope with existing traffic and, which according to recent quotes from local Police in the Courier Mail, has been the scene of numerous accidents of late;
- Cook Court is a true cul-de-sac; TMR should analyse the combined traffic demands to be driven by Costco as well as the other proposed users of this single road;
- There seems to be an inherent contradiction in the argument that “the sheer size and vehicular demand of the Costco warehouse renders it unsuitable for any available site within the Town Centre Core or Frame”, when there appears to have been no recognition or proper analysis by TMR of whether these matters make the proposed location in Cook Court far less appropriate compared with other sites in the North Lakes town centre core or frame or elsewhere in the State; and
- equivalent government departments interstate are likely to be to provide information to TMR about their assessment of the increased traffic generated by Costco operations in their jurisdictions; in this regard [REDACTED] suggest there was a widely-reported traffic “meltdown” that occurred on Parramatta Road when the Auburn Costco opened in Sydney.

Our ref
Your ref
Enquiries Joshua Hannan

Department of
Transport and Main Roads

20 March 2013

Mr Mark Saunders
Director, Planning Services
Department of State Development, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002
Email: Mark.Saunders@dsdip.qld.gov.au

Dear Mr Saunders

Costco development application (Stockland North Lakes)

Thank you for your email dated 1 March 2013 and for the opportunity to comment on concerns raised by third parties about the Department of Transport and Main Roads' assessment of the above development application.

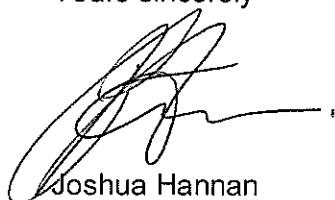
The Department has taken independent legal and traffic engineering advice in reviewing its assessment of the development application and the sufficiency of its concurrence agency response dated 11 July 2012.

The Department maintains the view that it does not have the jurisdiction to impose conditions of approval on the development application which require contributions towards external roadworks. This view is based on the application of the infrastructure agreements entered into by the State in 1999 with respect to the North Lakes area and is consistent with the approach which has been applied by the Department for other development proposals in the North Lakes area.

Accordingly, the Department does not recommend any changes to its concurrence agency response.

If you would like to discuss this matter further, please contact me to arrange a suitable time for a meeting.

Yours sincerely



Joshua Hannan
Executive Director (Planning Management)

Policy and Planning
Planning Management
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140 Creek Street Brisbane Queensland 4000
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Email joshua.m.hannan@tmr.qld.gov.au
ABN 39 407 690 291

25 March 2013

Mr Joshua Hannan
Executive Director – Planning Management
Policy and Planning
GPO Box 213
BRISBANE QLD 4001

Dear Mr Hannan

Costco development application – North Lakes

Thank you for your letter dated 20 March 2013 regarding the Ministerial call in of the Costco development application at Cook Court, North Lakes.

The Department of State Development, Infrastructure and Planning (the department) notes that you have identified that the Department of Transport and Main Roads (TMR) does not require any changes to its original concurrence agency response dated 11 July 2012. This is on the basis that TMR does not have the jurisdiction to impose conditions for contributions towards external roadworks, due to the infrastructure agreement that is in place at North Lakes.

In assisting the Honourable Jeff Seeney MP, Deputy Premier and Minister for State Development, Infrastructure and Planning in his re-assessment of the development application, the department seeks further clarification of TMR's position regarding the traffic issues associated with the proposed development, in view of the recent concerns raised by the affected parties. In particular, the Deputy Premier seeks TMR's position on those traffic issues raised in material sent to TMR on 4 March 2013.

Due to the timeframes involved in the reassessment of the proposed development, the department requires your response by close of business Wednesday 27 March 2013.

If you require further information or clarification on this matter, please contact me on 3222 2368.

Yours Sincerely



Mark Saunders

Director – Planning Services

Executive Building
100 George Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3227 8548
Website www.dsdip.qld.gov.au
ABN 29 230 178 530

3 April 2013

Mark Saunders
Director, Planning Services
Department of State Development, Infrastructure and Planning
Queensland Government
PO Box 15009
CITY EAST QLD 4002
Email: Mark.Saunders@dsdip.qld.gov.au

Dear Mark

Costco development application (Stockland North Lakes)

We refer to your letter dated 25 March 2013 and thank you for the opportunity to clarify the Department's position in relation to the above development application.

The Department considers that it conditioned the subject development application appropriately, having regard to infrastructure agreements, entered into by the State in 1999 for the area covered by the Mango Hills Infrastructure Development Control Plan gazetted on 27 November 1998 (**DCP**), which the Department considers apply to the subject development application.

Although those infrastructure agreements require infrastructure to be provided in association with development of the DCP area, there are no requirements for infrastructure associated with the Boundary Road / Bruce Highway interchange.

Under the terms of those infrastructure agreements, development which is proposed within the DCP area, and which falls within the ambit of those infrastructure agreements, cannot be conditioned by the Department to deliver, or contribute towards, infrastructure which is not required under those infrastructure agreements.

The Department has consistently applied this approach with respect to the Boundary Road / Bruce Highway interchange.

Yours sincerely



Ryan Huelin
General Manager
Policy and Planning

4 April 2013

Mr Ryan Huelin
General Manager – Planning Management
Policy and Planning
GPO Box 213
BRISBANE QLD 4001

Dear Mr Huelin

Costco development application – North Lakes

Thank you for your letter dated 3 April 2013 clarifying matters raised in your letter of 20 March 2013 relating to the Ministerial call in of the Costco development application at Cook Court, North Lakes.

To further assist the Honourable Jeff Seeney MP, Deputy Premier and Minister for State Development, Infrastructure and Planning in forming an opinion in his re-assessment of the development application, I seek comment on the following:

- likely traffic volumes generated by MIBA uses (possible and approved) and predicted Costco traffic volumes;
- assumptions within the ARUP reports in respect of design traffic generation rates, directional distribution and proportion of linked and diverted trips;
- implications for the State Controlled Road Network if Costco is approved;
- additional traffic safety or congestion concerns at the Boundary Road interchange if Costco is approved;
- proposals to upgrade the Boundary Road interchange.

Due to the timeframes involved in the reassessment of the proposed development, I would appreciate your early response. If you require further information or clarification on this matter, please contact me on 3222 2368.

Yours Sincerely



Mark Saunders

Director – Planning Services

8 April 2013

Mark Saunders
Director, Planning Services
Department of State Development, Infrastructure and Planning
Queensland Government
PO Box 15009
City East Qld 4002
Email: Mark.Saunders@dsdip.qld.gov.au

Department of
Transport and Main Roads

Dear Mark

Costco development application (Stockland North Lakes)

Thank you for your letter dated 4 April 2013.

The Department has considered the matters upon which you have sought comment and provides the following response:

- *The likely traffic volumes generated by MIBA uses (possible and approved), and design traffic volumes for the proposed Costco development*

The MIBA is intended to accommodate a wide range of commercial development activities. While, on average, these uses would be expected to be lower traffic generators (per unit site area) than most town centre activities, they could not reasonably be classified as low traffic generators. To put these generation rates into perspective, design external traffic generation rates per hectare of site area could reasonably be expected to be:

- Town centre activities - 100 to 150 vehicles per hour per hectare of site;
- MIBA - 30 to 60 vehicles per hour per hectare of site;
- Low intensity industrial uses - 25 vehicles per hour per hectare of site; and
- Suburban residential – 10 to 15 vehicles per hour per hectare of site.

Further, the range of uses expected within the MIBA will have significant variations in design traffic generation rates. The Costco development will be a significantly higher traffic generating use than the average, as will other nearby developments such as the Bunnings now under construction.

In the traffic impact assessment reports submitted in support of the proposed Costco development, Arup have estimated the design traffic generations of the Costco development as 710 vph during the weekday PM peak hour compared with 225 vph for the development which Arup otherwise assumed would take place on the 6.43 hectare site within the MIBA.

- *The assumptions within the Arup reports in respect of design traffic generation rates, directional distributions and proportions of linked and diverted trips*

The design traffic generation rates adopted appear to be generally of the right order, although it would have been preferable to rely, at least in part, on Australian data as opposed to only data from the USA. Further, because it is a new development format, there is little reliable data available to guide the assumptions which typically underpin traffic impact assessments in respect of directional distributions and proportions of linked and diverted trips. Overall, it would have been preferable to make assumptions which would have estimated somewhat greater potential impacts on the road network than those adopted by Arup, in part because of the need for greater caution when considering a new development type.

However, it could not be reasonably concluded that the Arup assumptions are invalid or incorrect – they may ultimately prove to be sound estimates.

The normal traffic impact assessment process effectively estimates likely desire or demand for traffic movement on critical parts of the local road network. However, this process normally does not take account of community and driver responses to congestion on one part of the network which effectively redistributes traffic so that the network is more evenly congested than is predicted. That is, existing and future users will change travel patterns (the number, timing and route of trips) to effectively divert traffic away from more congested parts of the network, thereby reducing real development impacts on traffic operations at those locations. The interchange between Boundary Road and the Bruce Highway is likely to become such a network element in the future, until the interchange is substantially upgraded. When that occurs, that upgrading will change travel patterns again, and traffic growth through the interchange will initially be more rapid as motorists take advantage of reduced congestion at this location.

- *Implications for the State Controlled Road Network if Costco is approved on the proposed site*

The potential impact on the State Controlled Road Network (**SCRN**) is not very sensitive to the location of the proposed Costco outlet within the local road network. The site is sufficiently removed from any part of the SCRN so that there will be no direct impacts of the proposed development on the SCRN as a consequence of queue interactions, etc.

Any significant development in the MIBA, including traffic generators like Costco and Bunnings, will increase the forecast demand for traffic movements through the interchange of Boundary Road with the Bruce Highway, and these additional traffic movements will increase operational congestion at the interchange intersections.

This will be offset to a significant degree by changes in travel patterns (existing and future), but congestion increases (traffic delays) will still occur. However, the interchange can and will continue to function consistent with accepted community standards of safety, particularly if, as expected, minor improvements are made at the interchange in the years prior to a major upgrading.

The interchange deals with different types of traffic movement, in order of priority:

- Through traffic movements on the motorway – National Route 1;
- Movements between the motorway and the local road network; and
- Movements on the local road network across the motorway.

The subject development will have only a minor impact on the motorway, in respect of traffic safety or traffic operations. Further, it can readily be ensured that movements between the motorway and the local road network and on the local road network can occur safely. That is, the potential impacts of the proposed development are almost entirely limited to impacts in respect of traffic congestion on the local road network, with little impact on the more important motorway components of the SCRN.

Because the proposed Costco development would be new to Queensland, it is likely that it will, in the first few weeks of operation, attract substantially greater patronage than it will experience in the longer term.

Therefore, it would be prudent to develop a traffic management plan, in conjunction with Council and Costco management, to ensure that the unusually high traffic generations and parking demands of the first few weeks do not adversely impact on critical parts of the road network, particularly the through carriageways of the motorway.

- *Additional traffic safety or congestion concerns at the interchange of Boundary Road with the Bruce Highway if the Costco development is approved*

The Arup assessment included evaluation of the impacts of the subject development (minus the impact of alternative development of the site at average generation rates) on the interchange at 2013 without any upgrading, and at 2023 with substantial upgrading. The current QTRIP (road implementation program) does not include any funding commitments for this interchange upgrading.

The 2023 assessment was based on calculations which demonstrated that poor operating conditions could be expected at the signalised interchange intersections in the near future with or without the subject development.

A conventional traffic impact assessment based on the Department's "Guidelines for Assessment of Road Impacts of Development" would be expected to conclude:

- The proposed development would have a significant impact on traffic operations at the interchange intersections (as would any significant development within the MIBA). A significant increase is categorised as an increase of a traffic movement of 5% or more;
- There are no reasonable and relevant intersection upgrading conditions which could be imposed on such development which would fully offset the impact of that development on traffic operations;
- Because of the scale of the interchange upgrading which will ultimately be required, no bring forward contributions to the future major interchange upgrading would be appropriate even if the upgrading was programmed; and
- There are works which could be undertaken at the interchange which would be beneficial, particularly in respect of safety at the interchange, but none would have significant impact on the basic traffic capacity of the interchange, which is primarily constrained by the two-lane highway over-bridge (and the intersections at each end of that bridge).

Notwithstanding this, the interchange can and will continue to function consistent with accepted community standards of safety, particularly if, as committed, minor improvements are made at the interchange.

- *Proposals to upgrade the interchange between Boundary Road and the Bruce Highway*

Any development within the MIBA, including the proposed Costco and Bunnings developments will increase design traffic loadings on this local road network and the highway interchange, thereby increasing the identified “need” for an upgrading of the interchange. However, none of these individual developments will specifically necessitate the major interchange upgrading by the Department or any other authority.

Arup have undertaken impact assessments for expected year of opening (2013) and the normal traffic design horizon ten years thereafter (2023). The SATURN model used for the 2023 assessment was based on a substantially upgraded interchange of Boundary Road with the Bruce Highway, consistent with road network planning for this area generally. That is, the traffic modelling confirms the future need for that interchange upgrading. This is not an unusual situation. Such modelling is used as the basis for major infrastructure planning which typically includes the critical steps of:

- Forecasting to identify future infrastructure needs;
- Preliminary planning and design to identify approximate costs and benefit/cost ratios;
- Programming of the project (priorities relative to other projects);
- Inclusion in future programmes and budgets;
- Detailed design; and
- Construction.

It should be noted that any significant development within the MIBA would have exactly the same consequences in respect of this planning process. Further, the Arup assessment (Section 6 of the report dated 15th May 2012) does include an assessment of traffic operations at the interchange at year of opening.

There are relatively minor works which would both improve safety of operations and reduce delays to some users of the interchange, such as:

- Movements from the Bruce Highway (north) to Boundary Road (east); and
- Movements to the Bruce Highway (south) from Boundary Road (east).

These relatively minor interim upgrading works could include widening of Boundary Road to not less than four lanes between the eastern interchange intersection and the North South Arterial Road intersection so as to facilitate continuous left turns from the southbound off-ramp, and to the southbound on-ramp.

If it were otherwise considered appropriate to impose conditions in respect of the interchange between Boundary Road and the Bruce Highway on the proposed Costco development, these works would make a substantial contribution to achieving a “no worsening” of the overall performance of the interchange intersections, recognising that

some movements would have lower delays and others would have longer delays. That is, some movements would experience worsening while some would experience improvements, with the overall average approximating "no worsening."

It is recognised that these minor upgrading works discussed above would have no significant impact on delays for other users of the interchange such as:

- Movements between Boundary Road east and Boundary Road (west),
- Movements from the Bruce Highway (south) to Boundary Road (east); and
- Movements from Boundary Road (east) to the Bruce Highway (north).

Only significant highway over-bridge works would have a significant impact on delays for those traffic movements (probably widening the bridge from two to eight lanes), and these highway overbridge works would only be undertaken as part of a major interchange upgrading.

There are other relatively minor interim upgrading works possible at the interchange which would be primarily directed to improving or maintaining appropriate levels of community safety, but there would be little direct nexus between these works and traffic generated by Costco. These works include widening of the off-ramps to minimise the potential for queue-back from the interchange intersections to the through carriageways of the motorway, and geometric changes at the merge between westbound off-ramp traffic with westbound through traffic on Boundary Road.

These interim works on the off-ramps are committed to occur independent of the Costco development and on 25 February 2013, the federal Minister for Infrastructure and Transport approved interim works at Boundary Road Interchange as part of a \$195M program of works to upgrade several interchanges on the Bruce Highway between Caboolture and Caloundra. The \$15M approved for works at the Boundary Road interchange includes planning, land acquisition and interim works. The interim works are aimed at improving safety and capacity at the two off ramps to the existing interchange. Now that approval for interim works has been granted, it will be included in the next QTRIP publication.

It is proposed that tenders for these interim works will be called by the end of 2013 with construction expected to be completed by mid 2014.

Although the current QTRIP does not include any funding for the major interchange upgrade, the Department is currently investigating the issue of funding.

I would be happy to meet with you to discuss this matter further. Please contact me if you would like to arrange a meeting.

Yours sincerely



Ryan Huelin
General Manager
Policy and Planning Branch



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MBN12/1619

20 DEC 2012

Mr Chris Reading
Principal Environmental Health Officer
Moreton Bay Regional Council
PO Box 159
CABOOLTURE QLD 4510

Dear Mr Reading

As you may be aware, on 20 December 2012 I exercised my call in powers under section 425 of the *Sustainable Planning Act 2009* (SPA) and called in the development application for a Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development).

Moreton Bay Regional Council previously gave consideration to the development application as a concurrence agency under the SPA for matters relating to the Environmentally Relevant Activity (ERA) - Chemical Storage component of the development application.

In the call in notice dated 20 December 2012, I identified *State Planning Policy 05/10 - Air, Noise and Hazardous Materials* (SPP 05/10) as one of the state interests applicable to the proposed Costco Warehouse development. The site is included in the Narangba Management Area and, as such, there may be impacts on the proposed Costco Warehouse development from the nearby Narangba Industrial Estate.

To assist in re-assessing and re-deciding the development application, advice is sought from you with regard to SPP 05/10 and the assessment of the development application against this policy.

I am also seeking Council's confirmation that Council has no further matters to discuss regarding the ERA matter.

I am due to make a decision on the Costco Warehouse development application by 25 February 2013. Accordingly, your response is requested by 10.00am on 8 January 2013.

If you require any further information, Julie Saunders in Planning Services, Department of State Development, Infrastructure and Planning, will assist and can be contacted on 3898 0505.

Yours sincerely

JEFF SEENEY MP

DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

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100 George St Brisbane
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Email deputypremier@ministerial.qld.gov.au

Office of the CEO

Moreton Bay
Regional Council



Enquiries Kim Gallo
Phone (07) 3205 0555
Fax (07) 3480 6758
Our Ref A7697488 CW:hjb
Your Ref MBN12/1619
Date 8 January 2013

Deputy Premier
Minister for State Development, Infrastructure and
Planning
C/- Executive Director, Planning Services
Department of State Development, Infrastructure and
Planning
PO Box 15009
CITY EAST QLD 4002

Dear Deputy Premier

STATE INTEREST - STATE PLANNING POLICY 5/10 - CALL IN NOTICE - COSTCO WAREHOUSE - NORTH LAKES

In response to your letter of 20 December 2012 (ref: MBN12/1619), requesting advice relating to Environmentally Relevant Activity (ERA) matters as well as assessment of the development application with regard to State Planning Policy 5/10 (SPP 05/10), I confirm the Council's view that no further matters are required to be discussed regarding the ERA component of the development application.

I advise that the Council on the 5 August 2011 considered the impact of exposure of sensitive land uses contained within both the Narangba Management Area of SPP 5/10 and the Mango Hill Infrastructure Development Control Plan (MHIDCP) area in association with an unrelated appeal by Stockland North Lakes Pty Ltd in the Planning and Environment Court. The Council took into consideration a series of reports relating to human safety, health and well-being, odour impacts and general amenity afforded to land in the MHIDCP area close to the adjacent Narangba Industrial Estate. The primary reports considered included:

- *Narangba Industrial Estate Health Impact Assessment Report (HIA Report) and Associated and Supporting Technical Reports*, prepared by Queensland Health and released on 5 May 2011;
- *Air Quality and Risk Assessment Report - Version 3*, prepared by ERM Pty Ltd on behalf of Stockland North Lakes Pty Ltd, dated 7 October 2009;
- *Odour Amenity Assessment Report* prepared by MWA Environmental Pty Ltd on behalf of Stockland North Lakes Pty Ltd, dated 5 July 2011;
- *Review of reports on odour modelling and predicted impacts on North Lakes Estate from activities on the Narangba Industrial Estate*, prepared by Daesim Technologies Pty Ltd, on behalf of the Moreton Bay Regional Council, dated July 2011.

Customer Service Contacts

PO Box 159 Caboolture QLD 4510 | T 3205 0555 | F 3205 0599 | E mbro@moretonbay.qld.gov.au | W www.moretonbay.qld.gov.au

The latter report being an independent peer review of the methodology and findings of the other reports, commissioned by the Council and carried out by Dr Ian Cameron, a recognised expert in this field.

The Costco Warehouse development application includes the use of office, defined as a sensitive land use under the provisions of SPP 5/10. Attached is an assessment summary against *Schedule 4 - Development Assessment Code*, of SPP 5/10. The studies undertaken by Queensland Health and the consultants acting on behalf of the applicant demonstrate the development complies with the performance outcomes of Schedule 4 of SPP 5/10. The office use proposed as a component of the Costco Warehouse development is consequently considered to be consistent with the purpose of the code. Also attached is an extract from the MHW Environmental Pty Ltd report showing the 2.5 Odour Unit and 1.0 Odour Unit contour lines attributable to the Narangba Industrial Estate in relation to the subject site.

Please do not hesitate to contact Kim Calio, Manager Development Services as referenced above should you require any further information or clarification.

Yours sincerely



John Rauber
Acting Chief Executive Officer

Enc

ATTACHMENT 5 – MWA ENVIRONMENTAL ODOUR REPORT



ODOUR AMENITY ASSESSMENT

'NORTHERN RESIDENTIAL' PRECINCTS

NORTH LAKES

Prepared for:

Stockland Development Pty Ltd

Prepared by:

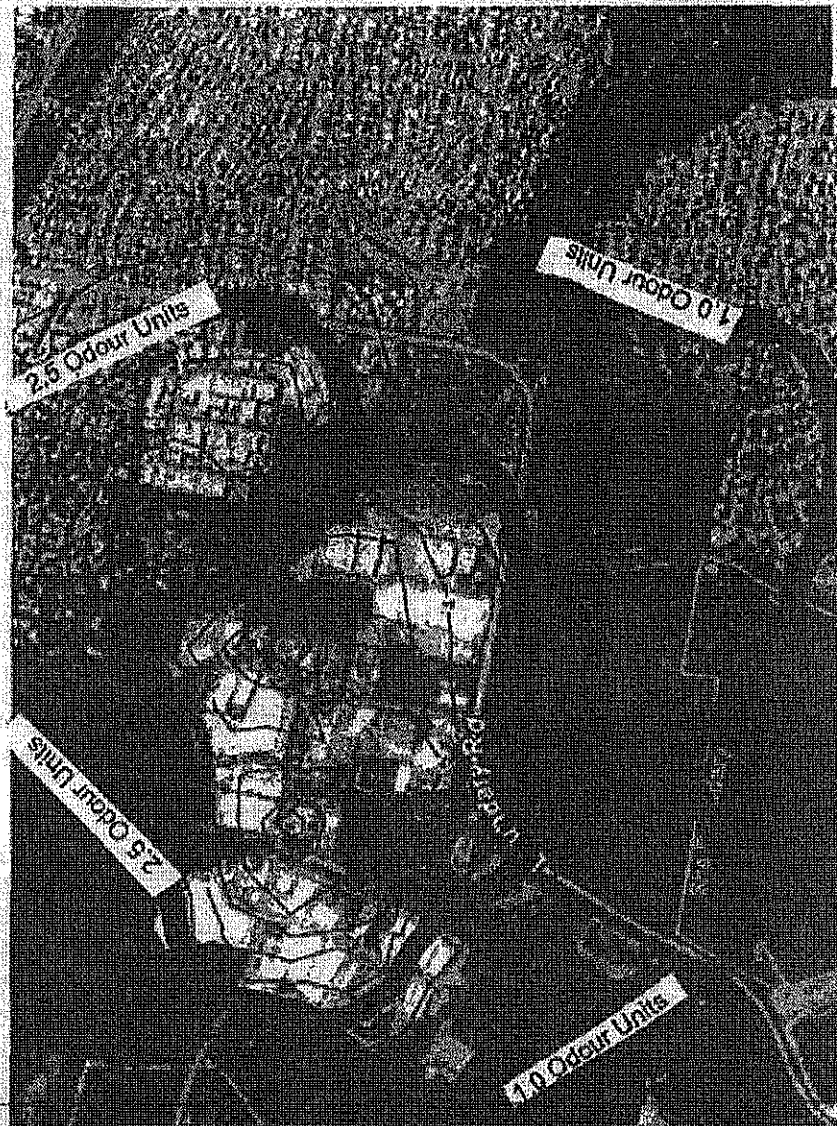
MWA Environmental

5 July 2011

MWA Yindes & Associates Pty Ltd is a MWA Environmental
Level 10, 241 Adelaide St, Brisbane QPO BOX 3137, Brisbane Qld 4001
P 07 3002 5500 F 07 3002 5508 E info@mwaenviro.com.au
W www.mwaenviro.com.au
ABN 54 010 835 081

LIKELY SCENARIO **99.5 percentile 1 hour Average**

North Lakes 11-006 Odour Model
 Odour Units: 99.5th Percentile 1 Hour Average



UTM North [km]
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 UTM East [km]

North Lakes 11-006
 Odour Units
 99.5th Percentile
 1 Hour Average
 Oil Refining Operations
 May 2011

Client: North Lakes
 MWA Environmental

Ben Hyde
 Date: 13/05/2011
 Scale: 1:10,000
 0 100m

mwa
 2008-2011

11-006

UTM North [km]

LIKELY SCENARIO

99.5 percentile 1 hour Average

PROJECT TITLE
 North Lake 11-006 Odour Model
 Odour Units 99.5th Percentile 1 Hour Average

CLIENTS
 North Lake 11-006
 Odour Units
 99.5th Percentile
 1 Hour Average
 ON Based Engineers
 May 2011

COPYRIGHT
 MWA Environmental

REVISOR
 Ben Hyde
 DATE
 13/05/2011
 SCALE
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 0 0.4 km



PROJECT NO
 11-006



PROJECT TITLE
 North Lake 11-006 Odour Model
 Odour Units 99.5th Percentile 1 Hour Average

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STATE PLANNING POLICY 5/10: AIR, NOISE AND HAZARDOUS MATERIALS 2010	
Schedule 4 – Development Assessment Code	
Performance outcomes (PO)	Assessment Comments
PO1 Development must not compromise existing and future industrial land, including industrial land in a state development area	<ul style="list-style-type: none"> HIA Report prepared by Queensland Health and released on 5 May 2011 found no health or well-being risks and acceptable standards for safety, air quality and odour levels associated with the nearby Narangba Industrial Estate. The proposed office use does not represent unreasonable encroachment by incompatible land uses upon industrial land uses.
PO2 Development must not result in a sensitive land use being exposed to industrial air, noise and odour emissions that impact on human health, amenity and well-being.	<ul style="list-style-type: none"> HIA Report prepared by Queensland Health and released on 5 May 2011 found no health or well-being risks and acceptable standards for safety, air quality and odour levels associated with the nearby Narangba Industrial Estate. Detailed study of odour impacts undertaken for the applicant by MWA Environmental Pty Ltd, dated 5 July 2011 demonstrate odour levels below the threshold for odour nuisance as specified in the <i>Ecoaccess Guideline: Odour Impact Assessment from Development</i> produced and adopted by the former Department of Environment and Resource Management (i.e. Odour concentrations less than 2.5 Odour Units in the 99.5th percentile, one hour average). MWA Odour Unit contour lines attached.
PO 3 Development is not exposed to potential impacts from noxious and hazardous industry that will affect human health, well-being, amenity or human safety.	<ul style="list-style-type: none"> HIA Report prepared by Queensland Health and released on 5 May 2011 found no health or well-being risks and acceptable standards for safety, air quality and odour levels associated with the nearby Narangba Industrial Estate.



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MBN12/1619

20 DEC 2012

Mr Ben Sale

Manager - Environmental Services and Regulation

Department of Environment and Heritage Protection

PO Box 168

COTTON TREE QLD 4558

Dear Mr Sale

On 20 December 2012, I exercised my call in powers under section 425 of the *Sustainable Planning Act 2009* (SPA) and called in the development application for a Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development). In making this decision, I have decided to undertake a re-assessment of the development application against the state interests for which the development application was called in.

In the call in notice dated 20 December 2012, I identified *State Planning Policy 05/10 - Air, Noise and Hazardous Materials* (SPP 05/10) as one of the state interests applicable to the proposed Costco Warehouse development. The site is included in the Narangba Management Area and, as such, there may be impacts on the proposed Costco Warehouse development from the nearby Narangba Industrial Estate.

To assist in re-assessing and re-deciding the development application, advice is sought from your department with regard to SPP 05/10 and the assessment of the development application against this policy.

I am due to make a decision on the Costco Warehouse development application by 25 February 2013. Accordingly, your response is requested by 10.00am on 8 January 2013.

If you require any further information, Julie Saunders in Planning Services, Department of State Development, Infrastructure and Planning, will assist and can be contacted on 3898 0505.

Yours sincerely

JEFF SEENEY MP

DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

cc: Mr Bogdan Lew
Team Leader - Environmental Health
Metro North Public Health Unit - Moreton Bay Office
Queensland Health
PO Box 1025
REDCLIFFE QLD 4020

Level 12 Executive Building
100 George St Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3224 4600
Facsimile +61 7 3210 2185
Email deputypremier@ministerial.qld.gov.au

Zoe Boal

From: Harden John [John.Harden@ehp.qld.gov.au]
Sent: Thursday, 10 January 2013 3:45 PM
To: Zoe Boal
Cc: Melissa Collie
Subject: Response: Third Party Advice Request - Ministerial Call in - Costco Warehouse Development, North Lakes

Follow Up Flag: Follow up

Flag Status: Blue

Attachments: DSDIP Third Part Advice for Costco.pdf

Hi Zoe, please find attached the necessary response to your request.

Please note that the original has been posted.

John Harden
Manager (Moreton Bay),
Southern Region East
Environmental Services and Regulation
Department of Environment and Heritage Protection
Telephone: (07) 5433 7725 Fax: (07) 5433 7762
Email: john.harden@ehp.qld.gov.au
General Email: ESNorth.MoretonBay@derm.qld.gov.au
Web: www.ehp.qld.gov.au

Have you heard of [Greentape Reduction](#)? Stay informed by [signing up](#) to the [Greentape Reduction e-newsletter](#)!

From: Zoe Boal [mailto:Zoe.Boal@dlgp.qld.gov.au]
Sent: Tuesday, 8 January 2013 9:11 AM
To: Harden John
Cc: Melissa Collie
Subject: Third Party Advice Request - Ministerial Call in - Costco Warehouse Development, North Lakes

Hi John,

As discussed, please find attached the third party advice request from the Planning Minister, regarding the recently called in Costco Warehouse development in North Lakes.

The Planning Minister made the decision to call in the development application in December 2012. As a result, he has now assumed the role of assessment manager and is required to undertake a re-assessment of the development application against the identified state interests. The identified state interests are detailed in the attached call in notice.

To assist in the Planning Minister's re-assessment of the development application, advice is sought from your department as detailed in the attached letter.

We would appreciate a response by COB Friday 11 January 2013, however if this timeframe is unreasonable please let me know.

Kind regards,

Zoe Boal
Senior Planner
Planning Support
Planning Services
Department of State Development,
Infrastructure and Planning
Queensland Government

tel: 07 3404 8314 (ex.64314)
post: PO Box 15009 City East Qld 4002
visit: Level 6 63 George Street Brisbane
zoe.boal@dsdip.qld.gov.au
www.dsdip.qld.gov.au

<<Third Party Advice Request (EHP).PDF>>

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14/01/2013



Department of
**Environment and
Heritage Protection**

Enquiries: J Harden
Telephone: 5433 7725
Your reference: MIN12/1619
Our reference: SPNN05121413 / 397068

10 January 2013

Manager
Planning Services
Department of State Development,
Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Attention: Julie Saunders

Dear Madam

Re: Costco Warehouse Development at Cook Court, North Lakes

This advice is in response to a request by Hon Jeff Seeney MP for advice on the application of SPP 5/10 Air, Noise and Hazardous Materials to assist him in reassessing and re-deciding a development application.

Details of the development application are:

Applicant: Environmental Resources Management Australia Pty Ltd (ERM) on behalf of Stockland North Lakes Pty Ltd

Type of Applicant: Development Permit for a Material Change of Use (Warehouse, Office, Retail Showroom, Services Industry (tyres), Vehicle Sales Yard, Shop, Hotel, Restaurant and Service Station, and Development Permit for an Environmentally Relevant Activity (ERA) 8 – Chemical Storage for the Service Station component

Location: Cook Court, North Lakes
Lot 601 on SP 236547 and Lot 602 on SP 245042

Level 4
33 King Street Caboolture
Queensland 4510 Australia
PO Box 1080 Caboolture Queensland 4510
Telephone: 5433 7700
Facsimile: 5433 7762
Website: www.derm.qld.gov.au
ABN 46 640 294 485

Purpose of SPP 5/10:

The policy complements the existing management framework by providing a more strategic focus on the location of industrial land uses. The policy will ensure that planning instruments provide strategic direction about:

- where industrial land uses should be located to protect communities and individuals from the impacts of air, noise and odour emissions, and the impacts from hazardous materials;
- how land for industrial land uses will be protected from unreasonable encroachment by incompatible land uses.

Triggers and assessment:

SPP 5/10 is triggered because:

- The development is assessable development;
- The development is a material change of use or reconfiguration of a lot for the purpose of a sensitive land use (see below);
- The development is proposed within a management area. Management area means a mapped area listed in Schedule 5 of the SPP.
(In this case the Costco development is proposed within the Narangba Management Area. This management area contains Noxious and Hazardous industry and High Impact Industry uses).

Triggered development needs to be assessed against the development assessment code Schedule 4 of the SPP. Advice from Moreton Bay Regional Council is that the SPP 05/10 has not yet been reflected in the relevant local planning instrument, therefore section 3 and relevant schedules continue to apply.

Sensitive land use:

Sensitive land use is defined in Schedule 1 – Glossary of SPP 5/10 and is consistent with the uses defined in the Queensland Planning Provisions. The Costco development includes office use. This use is clearly defined as a sensitive land use under the SPP and the QPP.

The other uses involved in the Costco development are not clearly defined as a sensitive land use under the SPP or QPP, however, introducing customers and workers inside the Noxious and Hazardous Industry buffer zone of the Narangba Management area may pose a risk of exposure to environmental harm.

Accordingly, assessment against the development assessment code in Schedule 4 of the SPP is warranted.

Approval of the development:

It is the applicant's responsibility to demonstrate that the proposed development meets the performance outcomes of the code. Annex 3, 4 and 5 of the SPP 5/10 Guideline provide technical guidance for demonstrating compliance against the code.

It must be demonstrated that the development can be designed to ensure it adequately protects human health, well being and amenity from air, noise and odour emissions, and human safety from the impacts of hazardous materials.

With the potential risk to people from the impacts of the nearby noxious industry that both the Queensland Government and Council regulate; and given that Council did not assess the development against this SPP 5/10; and as the Minister has called in the development for re-assessment to commence at the Decision Stage, it is recommended any decision to approve the development be contingent on the applicant meeting the following condition:

- *The applicant must demonstrate to the satisfaction of the Queensland Government and Moreton Bay Regional Council that the proposed development meets the performance outcomes of the development assessment code Schedule 4 of State Planning Policy 5/10 Air, Noise and Hazardous Materials.
[Annex 3, 4 and 5 of the SPP 5/10 Guideline
(<http://www.ehp.qld.gov.au/noise/documents/air-noise-hazard-guideline.pdf>) provide technical guidance for demonstrating compliance against the code. The results of studies, reports and design modifications prepared by suitably qualified persons may need to be presented as part of this demonstration.]*

Should you have any further enquiries or organise a meeting, please do not hesitate to contact me on telephone 5433 7725.

Yours sincerely



John Harden
Manager (Moreton Bay)
Southern Region – East
Environmental Services and Regulation
Department of Environment and Heritage Protection



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MBN12/1619

20 DEC 2012

Dr Tony O'Connell
Director-General
Queensland Health
GPO Box 48
BRISBANE QLD 4001

Dear Dr O'Connell

As you may be aware, on 20 December 2012, I exercised my call in powers under section 425 of the *Sustainable Planning Act 2009* (SPA) and called in the development application for a Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development).

Prior to my decision to call in the development application, I received a number of written representations from affected parties, one of which was also forwarded to the Honourable Lawrence Springborg MP, Minister for Health (MI186608).

Within the correspondence, concerns were raised about the proposed Costco Warehouse development's proximity to the existing Narangba Industrial Estate and the validity of the associated *Queensland Government Health Impact Assessment Report*, dated May 2011.

I am presently undertaking a re-assessment of the development application and am seeking Queensland Health's advice on the matters raised.

I am due to make a decision on the Costco Warehouse development application by 25 February 2013. Accordingly, your response is requested by 10.00am on 8 January 2013.

If you require any further information, Julie Saunders in Planning Services, Department of State Development, Infrastructure and Planning, will assist and can be contacted on 3898 0505.

Yours sincerely

JEFF SEENEY MP

DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

cc: Mr Bogdan Lew
Team Leader - Environmental Health
Metro North Public Health Unit - Moreton Bay Office
Queensland Health
PO Box 1025
REDCLIFFE QLD 4020

Level 12 Executive Building
100 George St Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3224 4600
Facsimile +61 7 3210 2185
Email deputypremier@ministerial.qld.gov.au

17 JAN 2013

Queensland
Government

Queensland Health

Enquiries to:

Ms Uma Rajappa
Director Environmental
Hazards Program –
Environmental Health
Regulation and Standards

Telephone:

3328 9338

Facsimile:

3328 9354

File Ref:

DG069557

16 JAN 2013

The Honourable Jeff Seeney MP
Deputy Premier
Minister for State Development, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Deputy Premier

Thank you for your letter dated 20 December 2012, regarding the development application for a Costco Warehouse development at Cook Court, North Lakes (Costco Warehouse development).

I am advised that in order to determine the suitability of the proposed Costco Warehouse development in the proximity of the existing Narangba Industrial Estate, an assessment of the proposed development against the *State Planning Policy 5/10 Air, Noise and Hazardous Materials* (SPP) is required. This assessment is necessary as the location of the development falls within the Narangba Management Area contained within Schedule 5 of the SPP. As you may be aware, the Department of Health does not have legislated responsibility under the SPP. If requested, the Department is able to provide advice regarding the health risks to the Assessment Manager.

The concerns regarding the validity of the Queensland Health Report: *Health Impact Assessment Narangba Industrial Estate* (HIA) dated May 2011 are unfounded. Specifically, the concerns raised by Mr Grant to the Honourable Lawrence Springborg MP, Minister for Health (please refer Attachment 1) are based on incorrect interpretation of scientific and technical data contained in the HIA. Please note the issues raised by Mr Grant have been comprehensively addressed with him on a number of occasions by experts within my Department as well as independent consultants.

I am advised that the Department of Environment and Heritage Protection (DEHP) has responsibility for the air quality monitoring component of the HIA report. This includes assessment of emissions of chromium VI at Fero Group (Queensland) Pty Ltd (Fero Group), formerly Sunstate Coatings. The HIA predicted that unacceptable levels of exposure of chromium (chromium VI), a known carcinogen, would not extend beyond fifty metres from the boundary of the existing Narangba Industrial Estate and not within any area of residential development. However, this prediction was based on conservative modelling and assumptions.

Office
19th Floor
Queensland Health Building
147 - 163 Charlotte Street
BRISBANE QLD 4000

Postal
GPO Box 48
BRISBANE QLD 4001

Phone
3234 1553

Fax
3234 1482

I have also been advised that the galvanising plant at Fero Group has been upgraded since the HIA monitoring and final work on the plant was completed in September 2012. Further, following the full commissioning of the plant in the end of January 2013, air monitoring by DEHP for chromium VI levels from the plant is again proposed to occur. The monitoring is expected to be completed by the end of March 2013. My Department will be in a position to re-evaluate the excess lifetime cancer risk, as recommended in the HIA report, on receipt of the air monitoring data from DEHP.

I am also advised that Moreton Bay Regional Council (MBRC) has implemented recommendations three and four of the HIA report regarding styrene emissions from Atlantic Pools. Atlantic Pools is a swimming pool manufacturer and is part of the MBRC regular inspection program.

Should officers of your Department require further information, they should not hesitate to contact Ms Uma Rajappa, Director, Environmental Hazards, Health Protection Unit, on telephone 3328 9345.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony O'Connell', with a stylized flourish at the end.

Dr Tony O'Connell
Director-General

Third Party Advice Request - DJAG

From: Mark Saunders
Sent: Wednesday, 13 March 2013 3:08 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Costco Ministerial Call-in - North Lakes

Follow Up Flag: Follow up
Flag Status: Red

Attachments: 1.PDF; Notice of Call in.pdf

Good afternoon Shoena,

Further to your conversation with [REDACTED], please find attached the site plans and notice of call-in for the Costco development application.



1.PDF



Notice of Call in.pdf

I understand that our consultants, AECOM had sought information from you regarding the Major Hazard Facilities; however due to the sensitive nature of the information sought, DJAG is unable to release that information to the consultants. As such, we seek your third party advice under section 256 of the *Sustainable Planning Act 2009* on whether the proposed development is able to comply with the hazard and risk aspects of the SPP 5/10, as they relate to the:

- individual fatality risk contour;
- explosion overpressure radius for the worst case credible explosion scenario; and
- radiation intensity radius for the worst case credible fire scenario.

I note that AECOM have reviewed the proposed development in terms of the Air Impact Assessment Requirements and Noise Impact Assessment Requirements of the SPP 5/10 and will be providing a report on the compliance of the proposal with those aspects of the SPP.

As per the phone conversation with Melissa, I advise that the last day for the Minister to decide the call in is 25 March 2013 and the technical reporting is to be finalised on the 18th of March, in order to be provided to the Minister for his consideration. I understand that DJAG will endeavour to provide a response before COB on Friday 15 March 2013.

Thank you for your assistance with this matter on short notice. If you anticipate any issues with the timeframes or require any additional information, please do not hesitate to contact Melissa Hector on 3225 8023 or Zoe Boal on 3404 8314.

Kind regards,

Mark Saunders
Director, Planning Services
Department of State Development, Infrastructure and Planning
Queensland Government

tel [REDACTED]
m [REDACTED]
post [REDACTED]
visit [REDACTED]
[REDACTED]

Our reference: CON/8012 13/000621
Your reference:
Contact name: Grant Hastie
Contact phone: 07 3872 0504
Facsimile: 07 3109 0800
E-mail: grant.hastie@justice.qld.gov.au



Department of
Justice and Attorney-General

15 March 2013

Mr Mark Saunders
Director- Planning Services
Department of State Development, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Mr Saunders

Third Party Advice- Costco Development Application Ministerial Call-in

Thank you for your email received on 13 March 2013 relating to the Costco Ministerial Call-in- North Lakes seeking third party advice on whether the proposed development is able to comply with the hazard and risk aspects of the SPP 5/10.

Based on a preliminary review of the information available to HICB for industries within the Narangba Industrial Estate, it is not expected that the Costco development will be exposed to an intolerable level of risk to safety.

None of the identified hazard scenarios would have impacts in excess of the criteria for sensitive land use specified in SPP 5/10 (heat radiation of 4.7 KWm² or overpressure of 7 Kpa, or toxic dose at ERPG-2 levels).

However, it should be noted that in the event of a major fire incident occurring within the Narangba Industrial Estate, the proposed Costco development and neighbouring areas may be required to undertake emergency response actions in accordance with Emergency Service directions as a matter of course.

If you have any further questions regarding this, do not hesitate to contact my office on 3109 0811.

Yours sincerely

A handwritten signature in black ink, appearing to read "Shoena", with a long, sweeping horizontal line extending to the right.

Shoena Messner
Director
Hazardous Industries and Chemicals Branch
Workplace Health and Safety Queensland