



Queensland Treasury

QT reference: TUL2020/0115

4 August 2020

Ballistic Beer Company Pty Ltd
PO Box 172
SALISBURY QLD 4107

Email: davidk@ballisticbeer.com.au

Dear Mr Kitchen

Temporary use licence Decision Notice – Expansion of useable area for a Hotel (Brewery taproom) at 55 and 59 McCarthy Road, Salisbury

(Decision Notice given under section 275J of the *Planning Act 2016*)

As a delegate of the Under Treasurer of Queensland Treasury, I advise that your application for a temporary use licence for an expansion of useable area for a Hotel (Brewery taproom) at 55 and 59 McCarthy Road, Salisbury is approved.

Applicant details

Applicant: Ballistic Beer Company Pty Ltd

Applicant contact details: PO Box 172
SALISBURY QLD 4107
davidk@ballisticbeer.com.au

Premises details

Street address: 55 and 59 McCarthy Road, Salisbury
Real property description: Lot 2 and Lot 3 on RP807571
Local government area: Brisbane City Council
Existing use: Medium Impact Industry - Brewery and Distillery and Hotel (250m²)

Decision details

Decision: Temporary use licence is approved under section 275I of the *Planning Act 2016*.
Conditions: This approval is subject to the conditions in **Attachment 1**
Details of relevant change: Change of conditions to a development approval to allow the expansion of useable area for the Hotel use (Brewery taproom)

Approved changes: Replacement of a condition of a development approval to allow the expansion of useable area for the Hotel use (Brewery taproom), specifically:

- Condition 12 of Decision Notice reference A004819437, dated 29 October 2018, issued by Brisbane City Council is replaced to allow the additional internal areas to be used as part of the hotel and the addition of an outdoor area
- Additional conditions included that limit the outdoor areas and requiring that no permanent fixtures or furniture are permitted within the additional hotel or outdoor areas.

Date of decision: 4 August 2020

Timing: This temporary use licence is in effect for the period of the COVID-19 emergency applicable event declared in accordance with section 275K of the *Planning Act 2016*.

Applicable event name: COVID-19 emergency

Applicable event declaration: 20 March 2020

Applicable event end date: 31 October 2020 (unless extended under s275F of the *Planning Act 2016*)

This temporary use licence is effective under section 275L of the *Planning Act 2016*. It does not constitute a development approval under section 63 or change to an existing development permit under section 83 of the *Planning Act 2016*.

This temporary use licence authorises the use of premises within the jurisdiction of the *Planning Act 2016*. A temporary use licence does not remove the need to obtain any other approvals that might be required by local, State and/or Commonwealth jurisdictions.

It is the responsibility of the holder of this licence to determine whether other permits or approvals are required before the use can lawfully commence.

If you require further information, please contact Tim O'Leary, Manager, Planning Group - Queensland Treasury on (07) 3452 7683 or TUL@dsmip.qld.gov.au who will be pleased to assist.

A handwritten signature in black ink, appearing to read 'Steve Conner', with a long horizontal stroke extending to the right.

Steve Conner
Executive Director
Development Assessment Division

cc: Brisbane City Council – dalodgement@brisbane.qld.gov.au

Attachment 1 – Temporary use licence conditions

No.	Conditions of Temporary use licence
Replacement of condition 12 under A004819437	
12)	<p data-bbox="341 353 662 385">Limitation of Approval</p> <p data-bbox="341 421 1390 483">This development approval is limited to a Medium Impact Industry (Brewery and Distillery) and ancillary Hotel only:</p> <ul data-bbox="395 490 1481 734" style="list-style-type: none"> <li data-bbox="395 490 1481 618">• The Hotel use approved by this licence cannot operate outside of the additional areas noted in yellow on the Temporary use licence plans. The Hotel use is to remain at all times ancillary and subordinate to the Medium Impact Industry use (Brewery and Distillery). <li data-bbox="395 663 1430 734">• In the event that the Medium Impact Industry use (Brewery and Distillery) is discontinued on this site, the Hotel use is to cease immediately.
Additional conditions	
1.	<p data-bbox="341 817 1469 880">The use of the additional outdoor area, shown in yellow on the Temporary use licence plans:</p> <ul data-bbox="395 904 1278 967" style="list-style-type: none"> <li data-bbox="395 904 1050 936">• is to be limited in area to a maximum of 400m² <li data-bbox="395 943 1278 967">• is only allowed to be used on Saturdays and Sundays until 6pm.
2.	<p data-bbox="341 994 1453 1097">No permanent fixtures or furniture are permitted within the additional hotel or outdoor areas approved by this temporary use licence. All fixtures and furniture must be temporary and easily removeable.</p>

Note: Condition 12 above replaces condition 12 of Brisbane City Council's Decision Notice dated 29 October 2018 and reference A004819437. All other conditions of the Brisbane City Council Decision Notice remain applicable to the approved use.

Attachment 2 – Temporary use licence plans