



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: DEV2017/898

19 February 2018

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 FOR CARPARK AND OUTDOOR SPORT AND RECREATION (TEMPORARY USES) AT 281 AND 281A MACARTHUR AVENUE, HAMILTON DESCRIBED AS LOT 1302 ON SP195300 AND LOT 44 ON SP205144

On 16 February 2018 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*. The 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 website www.dilqp.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Brianna Fyfe on 3452 7167.

Yours sincerely

Jeanine Stone
Director
Development Assessment
Economic Development Queensland

Minister for Economic Development
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ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	281 and 281A MacArthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 1302	SP195300
	Lot 44	SP205144
PDA development application details		
DEV reference number	DEV2017/898	
'Properly made' date	11 December 2017	
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	Carpark and Outdoor sport and recreation (Temporary uses)	

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		16 February 2018	
Currency period		2 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.	Updated Carpark Layout, prepared by Bornhorst + Ward	16214 P5B-FL0003, Revision C	16.02.2018

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:
 - i. 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).
 - ii. submit to MEDQ a duly completed compliance assessment form.
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- b) Compliance assessment and endorsement by EDQ Development Assessment, DSDMIP 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, DSDMIP 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, DSDMIP 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, DSDMIP **within 20 business days** from the date of the notice.
- v. **within 20 business days** – EDQ Development Assessment, DSDMIP 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, DSDMIP 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, DSDMIP endorses relevant plans/supporting information.

ABBREVIATIONS

For the purposes of interpreting the PDA development conditions, the following is a list of abbreviations utilised:

- 1. **Council** means Brisbane City Council.
- 2. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
- 3. **EDQ** means Economic Development Queensland.
- 4. **MEDQ** means The Minister for Economic Development Queensland.
- 5. **PDA** means Priority Development Area.

PDA Development Conditions		
No.	Condition	Timing
General		
1.	Carry out the Approved Development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to commencement of use
2.	Maintain the Approved Development Maintain the approved development (including parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	As indicated
3.	Duration of Temporary Uses a) This PDA development approval is valid until 27 June 2023. b) Submit to EDQ Development Assessment, DSDMIP a decommissioning strategy outlining how all site improvements and constructed infrastructure as a result of this PDA development approval will be removed and the site rehabilitated to its original state at the conclusion of the use. c) Carry out all necessary works as a result of part b) of this condition. d) Submit to EDQ Development Assessment, DSDMIP written evidence of the works required to be carried out under part c) of this condition have been completed.	a) As indicated b) 3 months prior to this PDA development approval lapsing or the cessation of all of the temporary uses on site, whichever occurs first c) Prior to this PDA development approval lapsing or the cessation of all of the temporary uses on site, whichever occurs first d) Prior to this PDA development approval lapsing or the cessation of all of the temporary uses on site, whichever occurs first
4.	Hours of Operation—Outdoor Sport and Recreation a) The approved hours of operation for the Outdoor Sport and Recreation (Tennis Court) temporary use is 6am until 10pm, 7 days a week. b) If a lawful residential use commences within 150m of the Outdoor Sport and Recreation (Tennis Court) temporary use operating under this PDA development approval: i. the hours of operation for the Outdoor Sport and	a) As indicated b) Prior to the commencement of the adjoining residential use

No.	Condition	Timing
	Recreation (Tennis Court) temporary use are to be reduced to 10am until 8pm, 7 days a week; or ii. Submit to EDQ Development Assessment, DSDMIP for compliance assessment a Management Plan (or plans) demonstrating how potential adverse impacts from the Outdoor Sport and Recreation (Tennis Court) temporary use will be mitigated for the residents of the adjoining residential use.	
Engineering		
5.	Construction Management Plan a) Submit to EDQ Development Assessment, DSDMIP a site based Construction Management Plan (CMP), prepared by the principal site contractor, that manages the following: i. noise and dust generated from the site during and outside construction work hours in accordance with the <i>Environmental Protection Act 1994</i>; ii. stormwater flows around or through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>), causing erosion, creating any ponding and causing any actionable nuisance to upstream or downstream properties; iii. contaminated land (if required), including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated land auditor; and iv. construction traffic ingressing and egressing the site. b) Undertake all works generally in accordance with the CMP submitted under part a) of this condition which must be current and available on site at all times during the construction period.	a) Prior to commencement of site works b) At all times during construction
6.	Car Parking and Tennis Court a) Provide the car parking spaces and tennis court, delineated, signed and fenced generally in accordance with the approved Updated Carpark Layout, 16214 P5B-FL0003, Revision C, dated 16.02.2018, prepared by Bornhorst + Ward. b) Submit to EDQ Development Assessment, DSDMIP written evidence that the development has been constructed in accordance with part a) of this condition.	a) Prior to commencement of use and to be maintained b) Prior to commencement of use

7.	Stormwater Quality Install litter baskets (Ecosol RSF100 or equivalent) at all field inlets within the existing car parking areas.	Prior to commencement of use and to be maintained
8.	Outdoor Lighting Outdoor lighting within the development shall be designed and installed in accordance with <i>AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Prior to commencement of use and to be maintained
9.	Electricity Connect the development to the existing electrical reticulation network in accordance with the relevant authorised electricity utility standards.	Prior to commencement of the use
10.	Public Infrastructure – Damage, Repairs and Relocation Repair any damage to existing public infrastructure that occurred during works carried out in association with the approved development. Should existing public infrastructure require relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory requirements.	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 ****