

ULDA Decision Notice

Site Address	Part 221 MacArthur Avenue, Hamilton
Real property description	Part Lot 1303 on SP195300
Type of approval	UDA development permit, subject to conditions
Aspects of development	Material Change of Use
Description of proposal	Events Venue (Temporary)
ULDA reference number	DEV2012/327
Decision date	24 October 2012
Currency period	4 years from Decision date

Drawing or Document	Number	Plan or Document Date
Proposed Temporary Events Venue	6484 P 02 B Rev. B	17.07.2012
Schedule 1 – Schedule of Activities		16.10.2012

PROJECT TEAM

Brianna Fyffe Planner Development Assessment Urban Land Development Authority	Patrick Chin Principal Engineer Compliance Development Assessment Urban Land Development Authority
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CONDITIONS		TIMING
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.	Duration of Interim Use (5 years) This UDA development approval is for a period of 5 years until 30 November 2017.	As indicated
3.	Enter into a Licence Agreement or Lease with the ULDA Each prospective activity/event operator must enter into a Licence Agreement or Lease with the ULDA prior to the commencement of each respective activity/event. Conditions of such Licence Agreement or Lease, may include, but may not necessarily be limited to, hours of operation, insurance, indemnity & release; power & lighting management plan; level of noise, light and dust pollution, traffic management plan; emergency management plan; provision of water supply and sanitary conveniences; telecommunication provisions; refuse storage & collection; and an environment & complaints management plan.	Prior to the commencement of use

CONDITIONS					TIMING
4.	For other uses not listed in Schedule 1 – Schedule of Activities Submit to the ULDA – Manager, Development Assessment, for compliance endorsement a report demonstrating that the proposed activity is generally in accordance with the approved temporary Events Venue use.				Prior to a lease being entered into with the ULDA
5.	Event frequency The approval grants access for temporary events to occur in the following tier based system:				Ongoing
		Low tier	Medium tier	High tier	
	Patrons during course of event	<2000 persons	2001-10,000 persons	>10,000 persons	
	Duration of event	Max. 2 weeks	Max. 4 weeks	Max. 3 months	
	No. of events per year	No limit	No more than 6	No more than 4*	
	*excluding regular market (or similar) that may occur on a weekly basis over the term of the approval.				
6.	Notice to ULDA A minimum of 2 weeks (for low tier events) and 4 weeks (for medium or high tier events) prior to the commencement of use, provide to the ULDA Manager – Development Assessment details of: a) the proposed event to be located on the site b) the proposed dates of commencement and cessation of the event.				
7.	General Development Works Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footpaths, roads, kerb and channel and stormwater gullies and drainlines) that may occur during any works carried out in association with the approved events.				Prior to commencement of use and at end of event
8.	Public Access within and around the site Provide and maintain unimpeded and safe public access including lighting within and around the site and ensure that access ways are designed to cater for disabled persons in accordance with “ <i>Australian Standard AS1428.1</i> ”.				Prior to commencement of use and then to be maintained

9.	Future Road In accordance with the approved Sub-precinct Plan and Reconfiguration Plan for Precinct 3(d), land designated for future road is available for event use until such time as the land is required for road construction purposes.	As indicated
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STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this UDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Urban Land Development Authority Act 2007* as well as the *Sustainable Planning Act 2009* (e.g. for building work), the *Plumbing and Drainage Act 2002* and the Commonwealth *Environmental Protection and Biodiversity Act 1999*. Carrying out development may also be subject to 'duty of care' legislation such as the *Aboriginal Cultural Heritage Act 2003*. For advice on other approvals that may be necessary in relation to your proposal, please seek professional advice.

Other Approvals/Licences

This development approval in no way negates the requirement to obtain approvals/licences under other legislation, including, but not necessarily limited to, BCC's Local Law (Entertainment Venues and Events) 1999; Liquor Act; Food Act 2006; Explosives Regulation etc. All other requisite approvals/licences relevant to each intended activity/event must be obtained, and any conditions complied with, prior to the commencement of the specific use.

Noise and Dust Emissions

All development involving the emission of noise and dust from building/construction activities requires that the emission be in accordance with the requirements of the *Environmental Protection Act 1994*. Pursuant to Division 3 Section 440R of the *Environmental Protection Act 1994*, a builder or building contractor must not carry out building work on a building site in a way that makes or causes audible noise to be made from the building work-

(a) Sundays or public holidays, at any time; or

(b) Saturdays or business days, before 6.30 a.m. or after 6.30 p.m.

Please note: The above information has been provided to the applicant as an advice only, and does not form part of the development approval conditions. This advice has been provided to the applicant to inform them of other obligations they may have to comply with (under state legislation or local laws) prior to their activity commencing.

**** End of Package ****

SCHEDULE 1 – Schedule of Activities

The activities that are permitted include:

- Boxing or wrestling contests, display or exhibition;
- Cinema;
- Circus, including associated entertainments;
- Drive-in theatre;
- Zoo park;
- Reception lounges / venue (includes for wedding receptions, birthdays and other parties);
- Fetes, fairs, fleamarkets and markets (held regularly throughout a year – if held once a year must have an even permit);
- Live artist not involving amplified music;
- Mini golf;
- Skating rink (including ice skating);
- Festivals – eg. food & wine, cultural;
- Travelling performances (other than circus);
- Amplified music concerts – venue for conducting concerts as a primary activity and inside a building;
- Live music or entertainment of a minor nature not an amplified music concert;
- Ten-pin bowling;
- Theatre and theatre restaurant;
- Outdoor sport and recreation centre; and
- Motor vehicle / bike racing.