



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

Our ref: DEV2019/1056/3

11 November 2019

Economic Development Queensland
C/- Saunders Havill Group
Att: Ms Anna Havill
9 Thompson Street
BOWEN HILLS QLD 4006

Dear Anna

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (CAR PARK AND WAREHOUSE – INTERIM USE) AT 70,92 AND PART 60 MACARTHUR AVENUE, HAMILTON DESCRIBED AS LOT 968 ON SL5770, LOT 886 ON SL6135 AND PART LOT 1161 ON SP108457

On 11 November 2019 the Minister for Economic Development Queensland (MEDQ) decided to grant all of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can be viewed in the MEDQ Development Approvals Register via the Department website
www.dsdmip.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Marissa Bais on 07 3452 7406.

Yours sincerely

Beatriz Gomez
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	45 and 57 Curtin Avenue West and 70, 92 and Part 60 Macarthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 968	SL5570
	Lot 886	SL6135
	Lot 1161 (part)	SP108457
PDA development application details		
DEV reference number	DEV2019/1056	
'Properly made' date	4 October 2019	
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	Warehouse and car park (interim use)	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice. The approved changes are summarised as follows: ■ Inclusion of warehouse proposal plan that was previously excluded as an administrative error.
Original Decision date	12 September 2019
Change to approval date	11 November 2019
Currency period	5 years from original decision date

Plans and documents

The plans and documents approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Warehouse Proposal Plan	9754 P 01 Rev A PRO 01	15.07.19
Plans and documents previously approved on 12 September 2019		Number (if applicable)	Date (if applicable)
1.	General Arrangement Layout Plan	CEB06642-CI-002 Revision D	11.09.19
2.	Proposed Carpark Layout Linemarking – Sheet 1	CEB06642-CI-009 Revision B	02.09.19
3.	Proposed Carpark Layout Linemarking – Sheet 2	CEB06642-CI-010 Revision D	11.09.19

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 is to:
 - 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 AND DEFINITIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

1. **AILA** means a Landscape Architect registered by the Australian Institute of Landscape Architects.
2. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by the Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
3. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a. **External Authority** means a public-sector entity external to the MEDQ;
 - b. **Parkland** means carrying out operational works related to the provision of parkland infrastructure
 - c. **Roadworks** means carrying out any operational works within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d. **Sewer Works** means carrying out any operational works related to the provision of waste water infrastructure;
 - e. **Streetscape Works** means carrying out any operational works within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f. **Stormwater Works** means carrying out any operational works related to the provision of stormwater infrastructure; and
 - g. **Water Works** means carrying out any operational works related to the provision of water infrastructure.
4. **Council** means Brisbane City Council
5. **DES** means the Department of Environment and Science.
6. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
7. **EDQ** means Economic Development Queensland.
8. **IFF** means the Infrastructure Funding Framework, prepared by the Department of Infrastructure, Local Government and Planning, dated July 2017.
9. **MEDQ** means the Minister for Economic Development Queensland.
10. **PDA** means Priority Development Area.
11. **RPEQ** means Registered Professional Engineer of Queensland.

PDA Development Conditions – Material Change of Use		
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 landscaping, 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.	At all times
3.	Duration of use The approved use of the premises is on an interim basis for 5 years from the date of decision.	As indicated
Engineering		
4.	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; and iii. contaminated land (if required), including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated land auditor. b) Prior to submitting the CMP under part a), the CMP shall be reviewed and approved by a suitably qualified person responsible for overseeing the construction works. c) Undertake all works generally in accordance with the CMP submitted under part a) of this condition, which is to be current and available on site at all times during the construction period.	a) Prior to commencement of site works b) Prior to commencement of site works c) At all times during construction
5.	Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP), certified by a person holding a current Traffic Management Level 3 qualification or higher.	a) Prior to commencement of site works

	The TMP is to include the following: i. provision for the management of traffic around and through the site during and outside of construction work hours; ii. provision of parking for workers and materials delivery; iii. risk identification, assessment and identification of mitigation measures; iv. ongoing monitoring, management review and certified updates (as required); and v. traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s). b) Undertake all works generally in accordance with the certified TMP submitted under part a) of this condition, which is to be current and available on site at all times.	b) At all times during construction
6.	Vehicle Access a) Design and construct vehicle crossovers generally in accordance with Brisbane City Council standards and with the following approved plans: i. DEMOLITION AND REPAIR WORKS PLAN – SHEET 2 Dwg No. CEB06642-CI-005, Rev C ii. PROPOSED CARPAR LAYOUT LINEMARKING – SHEET 2 Dwg No. CEB06642-CI-010 Rev C	a) Prior to commencement of use and to be maintained
7.	Car Parking a) Provide car parking spaces, delineated and signed generally in accordance with AS2890 – <i>Parking Facilities</i> and the following approved plans: i. GENERAL ARRANGEMENT LAYOUT PLAN Dwg No. CEB06642A-LA-010, Rev D ii. PROPOSED CARPAR LAYOUT LINEMARKING – SHEET 1 Dwg No. CEB06642-CI-009 Rev B iii. PROPOSED CARPAR LAYOUT LINEMARKING – SHEET 2 Dwg No. CEB06642-CI-010 Rev D	a) Prior to commencement of use and to be maintained
8.	Water Connection Connect the development to the existing water reticulation network in accordance with Queensland Urban Utilities current adopted standards.	Prior to commencement of use
9.	Sewer Connection Connect the development to the existing sewer reticulation network in accordance with Queensland Urban Utilities current adopted standards.	Prior to commencement of use
10.	Stormwater Connection Connect the development to a lawful point of discharge with ‘no-worsening’ to upstream or downstream properties for storm events up to 1% Annual Exceedance Probability (AEP) in accordance with Council current adopted standards.	Prior to commencement of use

11.	Stormwater Management (Quality) a) Install proposed stormwater treatment devices (litter baskets) generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quality</i> and the approved Town Planning Report – Car Park and Warehouse (temporary) dated 22 July 2019 prepared by Saunders Havill group.	a) Prior to commencement of use
12.	Outdoor Lighting Outdoor lighting within the development is to 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
13.	Electricity Submit to EDQ Development Assessment, DSDMIP either: a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the development; or b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.	Prior to commencement of use
14.	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
Landscape and Environment		
15.	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to EDQ Development Assessment, DSDMIP an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be prepared certified by a suitably qualified professional in soils and/or erosion sediment control. b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP submitted under part a) of this condition.	a) Prior to commencement of or during site works b) Prior to commencement of use
16.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDMIP an Erosion and Sediment Control Plan (ESCP) certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC) generally in accordance with the following guidelines: i. Urban Stormwater Quality Planning Guidelines, dated	a) Prior to commencement of site works

	2010, prepared by the former Department of Environment and Heritage Protection; and ii. Best Practice Erosion and Sediment Control, dated November 2008, prepared by the International Erosion Control Association Australasia (as amended from time to time). c) Implement the certified ESCP as submitted under part a) of this condition.	c) At all times during construction
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Advice Note: Infrastructure charges are not payable at this time. Should an extension to the duration of the use be approved a condition requiring payment of infrastructure charges may be imposed

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 ****