



Department of
State Development,
Tourism and Innovation

Our ref: DEV2012/327/5

3 July 2020

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

Email: annahavill@saundershavill.com

Dear Anna

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR EVENTS VENUE (TEMPORARY) AT PART 97 AND 221 MACARTHUR AVENUE, HAMILTON (PREVIOUSLY PART 221 MACARTHUR AVENUE, HAMILTON) DESCRIBED AS PART LOT 301, 302 AND 900 ON SP257483 (PREVIOUSLY DESCRIBED AS PART LOT 1303 ON SP195300)

On 3 July 2020 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 Chris Hinton on 07 3452 7494 or at chris.hinton@dsdmip.qld.gov.au.

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	Part 97 and 221 Macarthur Avenue, Hamilton (previously part 221 Macarthur Avenue, Hamilton)	
Lot on plan description	Lot number	Plan description
	Part Lot 301	SP257483 (previously described as Part Lot 1303 on SP195300)
	Lot 302	SP257483 (previously described as Part Lot 1303 on SP195300)
	Lot 900	SP257483 (previously described as Part Lot 1303 on SP195300)
PDA development application details		
DEV reference number	DEV2012/327/5	
'Properly made' date	30 June 2020	
Type of application	☒ Changing a PDA development approval	
Description of proposal applied for	- Amend the subject Lot description to Part Lots 301, 302 and 900 on SP257483 to reflect the cancellation of the previously described Lot 1303 on SP195300. - Amend 'Schedule 1- Schedule of Activities' to read 'Circus, including associated entertainments, training and classes'. - Amend condition 6 to, in addition to 'regular market', exclude 'Circus training and classes' which may occur daily over the term of the approval. - Update department (DSDMIP to DSDTI) references in permit. - Update legislation references in Standard Advice.	

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.	
Original Decision date		24 October 2012	
1 st Change to approval date		9 October 2013	
2 nd Change to approval date		3 July 2020	
Currency period		10 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.	Schedule 1 – Schedule of Activities		16 October 2012 (Amended in red 30 June 2020)
Plans and documents previously approved on 9 October 2013.		Number (if applicable)	Date (if applicable)
1.	Proposed Temporary Events Venue	6484 P 02 B Rev. B	17 July 2012

PDA Development Conditions		
No.	Condition	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 (10 years) a) This PDA development approval is for a period of 10 years from the original decision date. b) Submit to the Director - Development Assessment Division of DSDTI, a decommissioning strategy outlining how all buildings and constructed infrastructure as a result of the PDA development approval, will be removed and the site rehabilitated to its original state, at the conclusion of the use / 10 year duration of the PDA development approval. c) Carry out all necessary works as a result of part b) of this condition.	a) As indicated b) Prior to the commencement of use c) Prior to the commencement of use
3.	Enter into a Licence Agreement or Lease with the landowner Each prospective activity/event operator, that it not the landowner, must enter into a Licence Agreement or Lease with the landowner prior to the commencement of each respective activity/event.	Prior to the commencement of use
4.	For other uses not listed in Schedule 1 – Schedule of Activities Submit to the Director - Development Assessment Division of DSDTI, 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 landowner
5.	Events Management Plan For all activities/events, submit to the satisfaction of the Director – Development Assessment Division of DSDTI, an Events Management Plan detailing: • a car parking plan (which includes all car parking spaces, aisles and access arrangements); • a traffic management plan (which involves all vehicular movements generated by the operator's use and demonstrates traffic is directed away from emerging residential uses); • hours of operation, insurance, indemnity and release;	Prior to the commencement of use

PDA Development Conditions																			
No.	Condition	Timing																	
	• power and lighting management plan; • level of noise, light and dust pollution • emergency management plan • provision of water supply and sanitary conveniences • telecommunication provisions • refuse storage and collection; and • an environment and complaints management plan.																		
6.	Event frequency The approval grants access for temporary activities/events to occur in the following tier based system: <table border="1"> <thead> <tr> <th></th><th>Low tier</th><th>Medium tier</th><th>High tier</th></tr> </thead> <tbody> <tr> <td>Patrons during course of each temporary event</td><td><2000 persons</td><td>2001-10,000 persons</td><td>>10,000 persons</td></tr> <tr> <td>Duration of each temporary event</td><td>Max. 2 weeks</td><td>Max. 4 weeks</td><td>Max. 3 months</td></tr> <tr> <td>No. of each temporary events per year</td><td>No limit</td><td>No more than 6*</td><td>No more than 4</td></tr> </tbody> </table> *excluding regular 'Market' that may occur up to 3 times per week over the term of the approval. **excluding 'Circus - training and classes' that may occur daily over the term of the approval.		Low tier	Medium tier	High tier	Patrons during course of each temporary event	<2000 persons	2001-10,000 persons	>10,000 persons	Duration of each temporary event	Max. 2 weeks	Max. 4 weeks	Max. 3 months	No. of each temporary events per year	No limit	No more than 6*	No more than 4	Ongoing	
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7.	Notice to Development Assessment Division of DSDIP 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 Director - Development Assessment Division of DSDTI details of: a) the proposed event to be located on the site; and b) the proposed dates of commencement and cessation of the event.	a) Prior to commencement of use b) Prior to commencement of use																	

PDA Development Conditions		
No.	Condition	Timing
8.	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 an activity/event
9.	Temporary Buildings and Site Improvements a) Where the installation of temporary ancillary buildings or site improvement is required on the site, submit for endorsement to Principal Engineer – Development Assessment Division of DSDTI, a plan identifying the proposed layout including location of temporary buildings, any site improvements and car parking. b) The endorsed plan must form part of the Licence Agreement or Lease with the landowner.	a) Prior to commencement of use b) Prior to commencement of use
10.	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 “Australian Standard AS1428.1”.	Prior to commencement of use and then to be maintained
11.	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

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Economic Development Act 2012* as well as the *Planning Act 2012* (e.g. for building work), the *Plumbing and Drainage Act 2018* 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 ****