

DEV2012/371

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

6 September 2013

Economic Development Queensland
c/- Amy Russell
Saunders Havill Group Pty Ltd
9 Thompson Street
BOWEN HILLS QLD 4006

Dear Amy

**SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA
DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR
WAREHOUSE, CAR PARK, OUTDOOR SALES OR HIRE YARD, BULK
LANDSCAPE SUPPLIES, SHOWROOM, GARDEN CENTRE, HARDWARE AND
TRADE SUPPLIES (TEMPORARY) AT 110 MACARTHUR AVENUE, HAMILTON
DESCRIBED AS LOT 1162 ON SP108458**

On 6 September 2013 the Minister for Economic Development (MEDQ) approved the application to change the Priority Development Area (PDA) development approval pursuant to s.99 of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the change to the PDA development approval applied for subject to PDA development conditions set out in the attached PDA Development Approval Package.

As requested by Amy Russell on 5 September 2013, a typographical error in Condition 5 has been amended to reflect an extension to the duration of the interim use to ten (10) years.

The PDA development application and the decision notice can also be viewed in the MEDQ Development Approvals Register via the Department of State Development, Infrastructure and Planning website <http://edq.qld.gov.au/infrastructure-and-planning/priority-development-area-development-approvals.html>.

Should you have any queries in relation to the decision notice, please do not hesitate to contact Brianna Fyffe on 3174 0206.

Yours Sincerely



Patrick Atkinson

Director – Development Assessment

PDA Decision Notice – Approval

Site information		
Name of urban development area (PDA)	Northshore Hamilton	
Site address	110 MacArthur Avenue, Hamilton	
Lot on plan description	Lot number	Lot description
	Lot 1162	SP108458
PDA development application details		
MEDQ reference number	DEV2012/371	
Lodgement date	5 September 2013	
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	Change to Approval – Material Change of Use for Warehouse, Car park, Outdoor Sales or Hire Yard, Bulk Landscape Supplies, Showroom, Garden Centre, Hardware and Trade Supplies (Temporary)	

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.	
Original Decision date		28 November 2012	
Change to Approval date		6 September 2013	
Currency period		10 Years from Original Decision Date	
Plans and specification			
The plans and specifications approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.			
Approved plans, reports and specifications		Number (if applicable)	Date (if applicable)
1.	Proposed Temporary Activities Site	6543 P 01 PP A Rev. A	24.09.2012
PDA Development Conditions			
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.	Complete all operational works Complete all operational work associated with this development approval, including work required by any of the conditions included in the Conditions Package. Such operational work is to be carried out generally in accordance with the approved drawing(s), and/or documents.		Prior to the commencement of use
3.	General Development Works Repair any damage to existing kerb and channel, footpath, roadway or other infrastructure that may occur during any works carried out in association with the approved activities.		Prior to commencement of use and at end of a use
4.	Maintain the approved development Maintain the approved development (including parking, driveways and other external spaces) in accordance with the approved drawings(s) and/or documents, and any relevant engineering or other approval/s required by the conditions.		As indicated
5.	Duration of Interim Use (10 years) a) This PDA development approval is for a period		a) As indicated

	of 10 years from the original decision date. b) Submit to Development Assessment Division of DSDIP, 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.	b) Prior to the commencement of use c) Prior to the PDA development approval lapsing
6.	Licence Agreement or Lease with the landowner Enter into and comply with the terms of the Licence Agreement or Lease executed with the landowner.	Prior to the commencement of each use
7.	Construction Management Plan a) Submit to Development Assessment Division of DSDIP a site based construction management plan that will include but not be limited to the following: • provision for the management of traffic around and through the site during and outside of construction work hours • provision for parking and materials delivery during and outside of construction hours of work • management of dust generated from the site during and outside construction work hours • erosion and sediment control The construction management plan shall be prepared in consultation with the professionals responsible for individual site related management plans to ensure that all aspects of the construction and environmental management are included. The construction management plan shall be reviewed and approved by the principal consultant overseeing and certifying the construction works. b) All work shall be undertaken in accordance with the construction management plan which must be current and available on site at all times during the construction period.	a) Prior to commencement of site works b) As indicated
8.	Temporary buildings and Site improvements a) Where the installation of temporary ancillary	Prior to a lease being

	buildings or site improvement is required on the site, submit to Development Assessment Division of DSDIP Principal Engineer – Development Assessment for endorsement, a plan identifying the proposed layout including location of the temporary buildings, any site improvements and car parking. b) The endorsed plan must form part of the Licence Agreement or Lease with the landowner.	entered into with the landowner
9.	Storage on-site Storage on-site in the existing building is to be limited to a maximum height of 4.0m in accordance with current fire fighting restrictions.	To be maintained
10.	Vehicular Access Submit to Development Assessment Division of DSDIP for endorsement, a traffic management plan which identifies all vehicular movements generated by the tenant's use and demonstrates traffic is directed away from emerging residential areas.	Prior to a lease being entered into with the landowner
11.	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
12.	Car parking On-site carparking associated with any approved development activity shall be designed and constructed in accordance with <i>AS2890.1:2004 Parking Facilities – Off Street Parking</i>.	Prior to the commencement of use
13.	Water Connection Provide water connection(s) capable of supporting the temporary use in accordance with Queensland Urban Utilities adopted standards.	Prior to commencement of use
14.	Sewer Connection Provide sewer connection(s) capable of supporting the temporary use in accordance with Queensland Urban Utilities adopted standards.	Prior to commencement of use

15.	Stormwater Management a) Submit to Development Assessment Division of DSDIP for compliance endorsement a site-based stormwater management plan for quantity and quality certified by a Registered Professional Engineer Queensland b) Construct the works in accordance with the endorsed plans	a) Prior to commencement of works b) 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, 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 ****

