



Our ref: DEV2012/371/5

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

22 July 2021

CBRE Pty Ltd
C/- Saunders Havill Group
Att: Ms Anna Havill
9 Thompson Street
BOWEN HILLS QLD 4006

Email: annahavill@saundershavill.com

Dear Ms Havill

Section 99 Approval - application to change PDA development application

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 116 on SP108458

On 22 July 2021 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.dsdlgp.qld.gov.au/pda-da-applications.

If you require any further information, please contact Marissa Bais, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7344 or at Marissa.Bais@dsdlgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

Beatriz Gomez
Director
Development Assessment
Economic Development Queensland

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	110 Macarthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	116	SP108458
PDA development application details		
DEV reference number	DEV2012/371	
'Properly made' date	28/04/2021	
Type of application	☐ PDA development application for: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☒ Application to change PDA development approval ☐ Application to extend currency period	
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. The approval is for: - Change to condition 5 – duration of interim use (10 years) to state a duration of (13 years); and - Update the approved proposal plan.
Original Decision date	28/11/2012
1st Change to approval date	02/09/2013 (reissued 06/09/2013)
2nd Change to approval date	22/07/2021
Currency period	10 Years from Original Decision Date

Approved plans and documents

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

Approved plans and documents		Number	Date
1.	Proposed Temporary Activities Site prepared by Saunders Havill Group	10498 P 01 PP B Rev B	25/03/2021

PDA development conditions

PREAMBLE AND ABBREVIATIONS

For the purpose of interpreting this approval, including the conditions, the following applies:

ABBREVIATIONS AND DEFINITIONS:

The following is a list of abbreviations utilised in this approval:

1. **DSDILGP** means the Department of State Development, Infrastructure, Local Government and Planning.
2. **EDQ** means Economic Development Queensland.
3. **EDQ DA** means Economic Development Queensland's – Development Assessment team.
4. **EDQ TS** means Economic Development Queensland's – Technical Services team.
5. **MEDQ** means the Minister for Economic Development Queensland.
6. **PDA** means Priority Development Area.

SUBMITTING DOCUMENTATION TO EDQ:

Where a condition of this approval requires documentation to be submitted to either EDQ DA or EDQ TS, submit the documentation to:

- a) EDQ DA at: pdadevelopmentassessment@dsdmip.qld.gov.au.
- b) EDQ TS at: EDQ_PrePostConstruction@dsdmip.qld.gov.au.

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.	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 a) The duration of uses will expire on 31 December 2025. b) Submit to EDQ DA, 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. c) Carry out all necessary works as a result of part b) of this condition.	a) As indicated b) Three (3) months prior to the expiry of the duration of use indicated in part a) of this condition. c) Within three (3) months of the expiry of the duration of use indicated in part a) of this condition
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 EDQ TS a site based construction management plan that will include but not be limited to the following:	a) Prior to commencement of site works

	• 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.	b) As indicated
8.	Temporary buildings and Site improvements a) Where the installation of temporary ancillary buildings or site improvement is required on the site, submit to EDQ TS 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.	Prior to a lease being 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 EDQ DA 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 EDQ TS 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 ****