



Our ref: DEV2016/762/3

10 August 2021

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

Economic Development Queensland
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 (temporary) at 240 Macarthur Avenue, Hamilton
described as Lot 13 on SP214221

On 10 August 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.DSDILGP.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@dsdigp.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	240 Macarthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 13	SP214221
PDA development application details		
DEV reference number	DEV2016/762	
'Properly made' date	18/05/2021	
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	Warehouse (temporary)	
PDA development approval details		
Decision of the MEDQ	The MEDQ has decided to grant <u>all</u> of the PDA development approval applied for, <u>subject to</u> PDA development conditions forming part of this decision notice. The approval is for: • Change to Condition 4 – Duration of temporary uses (5 years) to Duration of temporary uses (9 years); and • Administrative updates for references to Department and insertion of preamble and abbreviations.	
Original Decision date	20/04/2016	
Change to approval date	10/08/2021	
Currency period	5 years from the 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.

Plans and documents previously approved on 20 April 2016		Number	Date
1.	Licence Areas B & C in Lot 13 on SP214221, prepared by LandPartners	BRSS4250.000-054 Rev G	16/11/2015

PDA development conditions

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 must:
 - 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, DSDILGP 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, DSDILGP 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, DSDILGP 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, DSDILGP **within 20 business days** from the date of the notice.
- v. **within 20 business days** – EDQ Development Assessment, DSDILGP 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, DSDILGP 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, DSDILGP endorses relevant plans/supporting information.

ABBREVIATIONS

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

- 1. **Council** means Brisbane City Council.
- 2. **DSDILGP** means the Department of Infrastructure, Local Government and Planning.
- 3. **EDQ** means Economic Development Queensland.
- 4. **MEDQ** means The Minister of Economic Development Queensland.
- 5. **EDQ DA** means Economic Development Queensland's – Development Assessment team.
- 6. **PDA** means Priority Development Area.

COMPLIANCE ASSESSMENT:

Where a condition of this approval requires Compliance Assessment, Compliance Assessment is required in accordance with the following:

- e) The applicant must:
 - iv. 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 EDQ Development Assessment Fees and Charges Schedule¹ (as amended from time to time).
 - v. submit to EDQ DA a duly completed Compliance Assessment form².

¹ The EDQ Development Assessment Fees and Charges Schedule is available at EDQ's website.

² The Compliance Assessment form is available at EDQ's website. It sets out how to submit documentation for Compliance Assessment and how to pay Compliance Assessment fees.

- vi. submit to EDQ DA the documentation as required under the relevant condition.
- f) Where EDQ is satisfied the documentation submitted for Compliance Assessment meets the requirements of the relevant condition (or element of the condition), EDQ will endorse the documentation and advise by written notice.
- g) Compliance Assessment and endorsement can be repeated where a different design or solution, to that already endorsed, is sought.
- h) The process and timeframes that apply to Compliance Assessment are as follows:
 - i) applicant submits items required under a) above to EDQ DA for Compliance Assessment.
 - ii) **within 20 business days** – EDQ assesses the documentation and:
 - 3. if satisfied, endorses the documentation; or
 - 4. if not satisfied, notifies the applicant accordingly.
 - iii) if the applicant is notified under ii.2. above, revised documentation must be submitted **within 20 business days** from the date of notification.
 - iv) **within 20 business days** – EDQ assesses the revised documentation and:
 - 3. if satisfied, endorses the revised documentation; or
 - 4. if not satisfied, notifies the applicant accordingly.
 - v) where EDQ notifies the applicant as stated under iv.2. above, repeat steps iii. and iv. 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 v. above, the condition (or element of the condition) is determined to have been met only when EDQ endorses relevant documentation.

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@dsgmip.qld.gov.au.
- b) EDQ TS at: EDQ_PrePostConstruction@dsgmip.qld.gov.au.

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.	As indicated

3.	Extent of Approval This approval relates only to the area shown as 'Licence Area C' on Plan No. BRSS4250.000-054 Rev G prepared by LandPartners and dated 16/11/2015.	As indicated
4.	Duration of Temporary Uses a) The duration of use 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 at the conclusion of the use. 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
5.	Compliance Assessment – Temporary Buildings and Site Improvements a) Where the installation of temporary buildings (excluding marquees or tents) or site improvement is required on site, submit to EDQ DA for compliance assessment, a plan or plan(s) identifying the proposed layout including location of the temporary structures, buildings, fencing/screening, site improvements, internal access and car parking. b) Erect the temporary structures generally in accordance with the endorsed plans required by part (a) of this condition. c) Any temporary buildings erected on the site are to be for the purpose of housing on-site administration functions related to the warehouse use.	a) Prior to commencement of site works for the use b) As indicated c) As indicated.
6.	Storage of Goods and Materials – Limitations Any dangerous goods, as classified as dangerous goods in the <i>Code for the Transport of Dangerous Goods by Road and Rail</i> , hazardous substances, as identified in the <i>Hazardous Substances Information System</i> , or any goods or materials that constitute an Environmentally Relevant Activity are not to be stored on site.	As indicated.
Engineering		
7.	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

8.	Outdoor Lighting Outdoor lighting proposed within the development shall 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
9.	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

STANDARD ADVICE

Please note that 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 ****