



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

Our ref: DEV2021/1217

15 July 2022

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

S89(1)(a) Approval of PDA development application

Reconfiguring a Lot (4 lots into 5 lots and new road in 2 stages) at 240, 250, 250C and 280 Macarthur Avenue, Hamilton described as Lot 13 on SP214221, Lot 1 on SP267571, Lot 2 on SP273089 and Lot 14 on SP195300

On 15 July 2022, pursuant to s.85(4)(b) of the *Economic Development Act 2012*, the Minister for Economic Development Queensland (MEDQ) decided to grant **all** of the PDA development application applied for, in accordance with the attached PDA decision notice.

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

If you require any further information, please contact Chris Hinton, Principal Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7494 or at chris.hinton@dsdlgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

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

PDA Decision Notice

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	240, 250, 250C and 280 Macarthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 13	SP214221
	1	SP267571
	2	SP273089
	14	SP195300
PDA development application details		
DEV reference number	DEV2021/1217	
'Properly made' date	8 September 2021	
Type of application	<input checked="" type="checkbox"/> PDA development application for: <input checked="" type="checkbox"/> Reconfiguring a lot <input checked="" type="checkbox"/> Development permit	
Proposed development	Reconfiguring a Lot (4 lots into 5 lots and new road in 2 stages)	
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	
Decision date	15 July 2022	
Currency period	4 years from the date of the decision	
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 Reconfiguration, Lots 5, 6, 7, 901 and New Road Cancelling Lots 14 on SP195300, LOTS 13 on SP214221, 1 on SP267571 & 2 on SP273089, Sheets 1-3', prepared by LandPartners	BRMM7695-000-143-1	15 April 2021
2. 'Proposed Reconfiguration, Lots 3, 4 and New Road Cancelling Proposed Lot 901 (BRMM7695-000-143-1), Currently described as part of Lots 14 on SP195300, 13 on SP214221 & 2 on SP273089', prepared by LandPartners	BRMM7695-000-146-1	19 April 2021
3. 'Engineering Services Report', prepared by Smec	30032521-R003	24 August 2021
Supporting plans and documents	Number	Date
4. 'Non-Exempt Works Plan 1/4', prepared by Smec	2521E-01-211, Rev H	22 March 2022 (Amended in Red 19 May 2022)

5.	'Non-Exempt Works Plan 2/4', prepared by Smec	2521E-01-212, Rev D	15 September 2019 (Amended in Red 19 May 2022)
6.	'Non-Exempt Works Plan 3/4', prepared by Smec	2521E-01-403, Rev B	10 December 2021 (Amended in Red 19 May 2022)
7.	'Non-Exempt Works Plan 4/4', prepared by Smec	2521E-02-211, Rev C	15 September 2019 (Amended in Red 19 May 2022)

PDA development conditions

ABBREVIATIONS AND DEFINITIONS

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

AILA means a Landscape Architect registered by the Australian Institute of Landscape Architects.

BFP means Building Format Plan.

CERTIFICATION PROCEDURES MANUAL means the document titled *Certification Procedures Manual*, prepared by EDQ, dated April 2020 (as amended from time to time).

CONTRIBUTED ASSET 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 definitions apply:

- **External Authority** means a public-sector entity other than the MEDQ;
- **Parkland** means carrying out operational work related to the provision of parkland infrastructure;
- **Roadworks** means carrying out any operational work within existing or proposed road(s), to a depth of 1.5m measured from the top of kerb, and includes Streetscape Works;
- **Sewer Works** means carrying out any operational work related to the provision of wastewater infrastructure;
- **Streetscape Works** means carrying out any operational work within the verge of a road, including footpath surface treatments, street furniture, street lighting and landscaping;
- **Stormwater Works** means carrying out any operational work related to the provision of stormwater infrastructure; and
- **Water Works** means carrying out any operational work related to the provision of water infrastructure.

COUNCIL means the relevant local government for the land the subject of this approval.

DSDILGP means the Department of State Development, Infrastructure Local Government and Planning.

EDQ means Economic Development Queensland.

EDQ DA means Economic Development Queensland's – Development Assessment team.

EDQ TS means Economic Development Queensland's – Technical Services team.

EP Act means the *Environmental Protection Act 1994*.

IFF means the Infrastructure Funding Framework, prepared by the Department of State Development, Tourism and Innovation, dated 1 July 2020 (as amended from time to time).

LTA means *Land Title Act 1994*.

MEDQ means the Minister for Economic Development Queensland.

PDA means Priority Development Area.

RPEQ means Registered Professional Engineer of Queensland.

PDA Development Conditions		
Ref	Condition	Timing
General		
1.	Carry out the approved development Carry out the approved development generally in accordance with: <ul style="list-style-type: none"> i) the approved plans and documents; and ii) any other documentation endorsed via Compliance Assessment as required by these conditions. 	Prior to survey plan endorsement of the relevant stage
2.	Maintain the approved development Maintain the approved development generally in accordance with: <ul style="list-style-type: none"> i) the approved plans and documents; and ii) any other documentation endorsed via Compliance Assessment as required by these conditions. 	At all times
Construction		
3.	Hours of work – construction Where any construction is required, unless otherwise endorsed, via Compliance Assessment for out of hours work, construction hours for the approved development are limited to Monday to Saturday between 6:30am to 6:30pm, excluding public holidays.	During any construction unless otherwise endorsed
4.	Out of hours work - Compliance Assessment Where out of hours work is proposed for any construction, submit to EDQ DA, for Compliance Assessment, an out of hours work request. The out of hours work request must include the required fee and a duly completed out of hours work request form ¹ .	Minimum of 10 business days prior to proposed out of hours work commencement date
5.	Certification of Operational Work All Operational Work under this approval is to be in accordance with the <i>Certification Procedures Manual</i> .	At all times

¹ The out of hours work request form is available at EDQ's website.

6.	Certification of Operational Work for Contributed Assets All Operational Work, for Contributed Assets, under this approval in accordance with the <i>Certification Procedures Manual</i> .	At all times
7.	Construction management plan a) Submit to EDQ TS a site-based Construction Management Plan (CMP), prepared by the principal site contractor and reviewed by a suitably qualified and experienced person responsible for overseeing the site works, to manage construction impacts, including: <ul style="list-style-type: none"> a) noise and dust in accordance with the EP Act; b) stormwater flows around and through the site without increasing the concentration of total suspended solids or Prescribed Water Contaminants (as defined in the EP Act), causing erosion, creating any ponding and causing any actionable nuisance to upstream and downstream properties; c) contaminated land, where required under a site suitability statement prepared in accordance with section 389 of the EP Act; d) complaints procedures; e) site management: <ul style="list-style-type: none"> 1. for the provision of safe and functional alternative pedestrian routes, past, through or around the site; 2. to mitigate impacts to public sector entity assets, including street trees, on or external to the site; 3. for safe and functional temporary vehicular access points and frequency of use; 4. for the safe and functional loading and unloading of materials including the location of any remote loading sites; 5. for the location of materials, structures, plant and equipment; 6. of waste generated by construction activities; 7. detailing how materials are to be loaded/unloaded; 8. of proposed external hoardings and gantries (with clearances to street furniture and other public sector entity assets); 9. of employee and visitor parking areas; 10. of anticipated staging and programming; 11. for the provision of safe and functional emergency exit routes; and 12. any out of hours work as endorsed via Compliance Assessment. 	a) Prior to survey plan endorsement of the relevant stage

	<p>b) A copy of the CMP submitted under part a) of this condition must be current and available on site.</p> <p>c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.</p>	<p>b) Prior to survey plan endorsement of the relevant stage</p> <p>c) Prior to survey plan endorsement of the relevant stage</p>
8.	<p>Erosion and sediment management</p> <p>a) Submit to EDQ TS an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control, and prepared generally in accordance with the following:</p> <ul style="list-style-type: none"> i) construction phase stormwater management design objectives of the <i>State Planning Policy 2017</i> (Appendix 2 Table A); ii) <i>Healthy Land and Water Technical Note: Complying with the SPP – Sediment Management on Construction Sites.</i> <p>b) Implement the certified ESCP submitted under part a) of this condition.</p>	<p>a) Prior to survey plan endorsement of the relevant stage</p> <p>b) Prior to survey plan endorsement of the relevant stage</p>
9.	<p>Public infrastructure (damage, repairs and relocation)</p> <p>a) Repair any damage to existing public infrastructure caused by works carried out in association with the approved development.</p> <p>b) Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards.</p> <p><i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i></p>	<p>a) Prior to survey plan endorsement for the relevant stage</p> <p>b) Prior to survey plan endorsement for the relevant stage</p>

10.	<p>Public infrastructure (damage, repairs and relocation)</p> <p>a) Repair any damage to existing public infrastructure caused by works carried out in association with the approved development.</p> <p>b) Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards.</p> <p><i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i></p>	<p>a) Prior to survey plan endorsement for the relevant stage</p> <p>b) Prior to survey plan endorsement for the relevant stage</p>
Surveying, land transfers and easements		
11.	<p>Land transfers - contaminated land</p> <p>Submit to EDQ TS a copy of a site suitability statement, as required under the EP Act, confirming that all land conditioned to be transferred to a trustee is suitable for the intended purpose(s). The site suitability statement must be prepared by a suitably qualified person and be certified by an approved auditor in accordance with the EP Act.</p> <p><i>NOTES:</i> <i>For the purpose of this condition a suitably qualified person is defined in the EP Act.</i></p> <p><i>A list of approved auditors can be found at the following website: https://www.qld.gov.au/environment/pollution/management/contaminated-land/auditor-engagement.</i></p>	<p>Prior to survey plan endorsement, unless otherwise agreed in writing by the MEDQ</p>
12.	<p>Temporary Easement over Batters</p> <p>a) Provide temporary easements, in favour of MEDQ or Council, over earthworks batter slopes that extend outside of the road reserve and are required to support constructed roads, verges and infrastructure. The easements are required to be registered with the following conditions</p> <ol style="list-style-type: none"> Extinguishable as each relevant lot (or part lot) is developed, and the easement is no longer required for that lot (or part lot), to the satisfaction of the easement holder; Enable access for maintenance by MEDQ or Council; and Prohibit excavation within the easement or any modification of the batter, unless agreed by MEDQ or Council. 	<p>a) Prior to settlement of the sale of the Lot provide temporary easement in Favour of MEDQ, or prior to road infrastructure off-maintenance provide a temporary easement in favour of Council,</p>

	<p>b) Provide temporary easements, in favour of Council, over earthworks batter slopes that extend outside of the road reserve and are required to support constructed roads, verges and infrastructure. The easements are required to be registered with the following conditions</p> <ul style="list-style-type: none"> i. Extinguishable as each relevant lot (or part lot) is developed, and the easement is no longer required for that lot (or part lot), to the satisfaction of the easement holder; ii. Enable access for maintenance by Council; and iii. Prohibit excavation within the easement or any modification of the batter, unless agreed by Council. 	<p>whichever occurs earlier</p> <p>b) Prior to road infrastructure off-maintenance</p>
13.	<p>Easements over infrastructure</p> <p>Provide public utility easements, in favour of and at no cost to the grantee, over infrastructure located in land (other than road) for Contributed Assets.</p> <p>The terms of public utility easements are to be to the satisfaction of the Chief Executive Officer of the authority which is to accept and maintain the Contributed Assets.</p>	At registration of survey plan
Earthworks and retaining walls		
14.	<p>Earthworks</p> <p>a) Submit to EDQ TS detailed earthworks plans, certified by a RPEQ, and designed generally in accordance with <i>Australian Standard AS3798 – 2007 Guidelines on Earthworks for Commercial and Residential Developments</i></p> <p>The certified earthworks plans are to:</p> <ul style="list-style-type: none"> i) include a geotechnical soils assessment of the site; ii) accord with the Erosion and Sediment Control Plans, as required by Condition Error! Reference source not found. – Erosion and sediment management; iii) include the location and finished surface levels of any cut and/or fill; iv) detail areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; v) provide details of any areas where surplus soils are to be stockpiled; vi) detail protection measures to: <ul style="list-style-type: none"> 1. ensure adjoining properties and roads are not impacted by ponding or nuisance stormwater resulting from earthworks associated with the approved development; 2. preserve all drainage structures from structural loading impacts resulting from 	<p>a) Prior to survey plan endorsement of the relevant stage</p>

	<p>earthworks associated with the approved development.</p> <p>b) Carry out earthworks generally in accordance with the certified plans submitted under part a) of this condition.</p> <p>c) Submit to EDQ TS RPEQ certification that:</p> <ul style="list-style-type: none"> i) all earthworks have been carried out generally in accordance with the certified plans submitted under part a) of this condition; and ii) any unsuitable material encountered has been treated or replaced with suitable material. 	<p>b) Prior to survey plan endorsement of the relevant stage</p> <p>c) Prior to survey plan endorsement of the relevant stage</p>
15.	<p>Acid sulfate soils (ASS)</p> <p>a) Where on-site ASS are encountered, submit to EDQ TS an ASS management plan, prepared in accordance with the <i>Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines v4.0 2014</i> (as amended from time to time).</p> <p>b) Excavate, remove and/or treat on site all disturbed ASS generally in accordance with the ASS management plan submitted under part a) of this condition.</p> <p>c) Submit to EDQ TS a validation report, certified by a suitably qualified environmental or soil scientist, confirming that all earthworks have been carried out in accordance with the ASS management plan submitted under part b) of this condition.</p>	<p>a) Prior to survey plan endorsement of the relevant stage</p> <p>b) Prior to survey plan endorsement of the relevant stage</p> <p>c) Prior to survey plan endorsement of the relevant stage</p>
Roadworks, urban servicing and stormwater management		
16.	<p>Lot Access</p> <p>a) Submit to EDQ detailed engineering plans, certified by a RPEQ, for the vehicle crossovers:</p> <ul style="list-style-type: none"> i) located generally in accordance with the approved plans; and ii) designed generally in accordance with Council's adopted standards <p>b) Construct the cross over in accordance with Part a)</p>	<p>a) Prior to survey plan endorsement of the relevant stage</p> <p>b) Prior to survey plan endorsement of the relevant stage</p>

	c) Submit to EDQ TS RPEQ certification that the crossovers have been constructed in accordance with part a) of this condition.	c) Prior to survey plan endorsement of the relevant stage
17.	Water reticulation Submit to EDQ TS certification by a RPEQ, that the development lots are connected to water reticulation infrastructure with water supply, pressure and bacterial test results in accordance with Urban Utilities current adopted standards;	Prior to survey plan endorsement of the relevant stage
18.	Sewer reticulation Submit to EDQ TS, certification by an RPEQ, that the lots are connected to sewer reticulation infrastructure with sewer servicing and pressure results in accordance with Urban Utilities current adopted standards	Prior to survey plan endorsement of the relevant stage
19.	Stormwater management (quantity and flooding) Submit to EDQ TS: <ul style="list-style-type: none"> i) certification from a suitably qualified and experienced RPEQ that <ul style="list-style-type: none"> a. all lots have been serviced with a suitably located and designed legal point of discharge in accordance with PDA Guideline No. 13 Engineering standards; b. that no lots are subject to flood inundation or overland flow for the 1% AEP storm event; and c. no constructed infrastructure will result in worsening of flood impacts or hazard on public or private land; and ii) as-constructed drawings, asset register and test results, certified by a RPEQ, in a format acceptable to the end asset owners for all stormwater works constructed under this condition. 	Prior to survey plan endorsement of the relevant stage
20.	Electricity a) Submit to EDQ TS a Certificate of Electricity Supply from Energex for the provision of electricity supply to the approved development lots. b) Connect the approved development in accordance with the Certificate of Electricity Supply submitted under part a) of this condition.	a) Prior to survey plan endorsement of the relevant stage b) Prior to survey plan endorsement of the relevant stage

21.	<p>Telecommunications</p> <p>a) Submit to EDQ TS documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to the approved development lots.</p> <p>b) Connect the approved development in accordance with the documentation submitted under part a) of this condition.</p>	<p>a) Prior to survey plan endorsement of the relevant stage</p> <p>b) Prior to survey plan endorsement of the relevant stage</p>
22.	<p>Broadband</p> <p>a) Submit to EDQ TS written agreement, from an authorised telecommunications service provider, confirming that fibre-ready pit and pipe infrastructure designed to service the approved development lots can accommodate services compliant with <i>Industry Guideline G645:2017 Fibre-Ready Pit and Pipe Specification for Real Estate Development Projects</i>.</p> <p>b) Construct the fibre-ready pit and pipe infrastructure specified in the agreement submitted under part a) of this condition.</p>	<p>a) Prior to survey plan endorsement of the relevant stage</p> <p>b) Prior to survey plan endorsement of the relevant stage</p>
23.	<p>Infrastructure Charges</p> <p>Unless a relevant infrastructure agreement provides to the contrary, pay to the MEDQ, the applicable infrastructure charges under the IFF calculated as follows:</p> <ul style="list-style-type: none"> • where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced on or before 6 years from the original decision date – in accordance with the IFF in force at the time of the original decision date; or • where a plan of subdivision or building format plan is submitted for endorsement or the use has commenced more than 6 years from the original decision date – in accordance with the IFF in force at the time of the payment. • Where the application is a MCU, certified construction plans detailing the GFA must also be provided to the MEDQ prior to commencement of use for calculation of final charges 	<p>In accordance with the IFF</p>

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.

It is noted at that all works related to this approval, other than those identified on supporting documents '*Non-Exempt Works Plans 1-4*' as 'Non-Exempt Works', have been completed as 'Exempt Works' as defined by Schedule 1: Exempt Development of the Northshore Hamilton PDA.

**** End of Package ****