



Our ref: DEV2021/1200/14
Your ref: 10591

04 April 2025

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

Email: AnnaHavill@saundershavill.com

Dear Anna

Section 99 Approval - Application to Change PDA Development Approval

Material Change of Use for Temporary Events at 33, 89, 97, 175, 189, 221, 221D, 221E, 257 & 281 Macarthur Avenue and 18 Bincote Street, Hamilton described as Lot 1, 2, 302 and 303 on SP338484 (*formerly described as Part Lot 302 on SP257483*), Part Lot 1203 on SP160055 (*formerly described as Lot 1203 on SP160055*), Lot 1201 on SP160055, Lot 1202 on SP160055, Lot 1302 on SP195300, Lot 711 on SL4546, Lot 900 on SP257483, Lot 301 on SP257483, and Lot 10 on SP335049

On 04 April 2025 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 [Current applications and approvals](#).

If you require any further information, please contact Ms Chessa Lao, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 7425 or at Chessa.Lao@edq.qld.gov.au, who will 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 PDA	
Site address	33, 89, 97, 175, 189, 221, 221D, 221E, 257 & 281 Macarthur Avenue and 18 Bincote Street, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 1	SP338484 (formerly described as Part Lot 302 on SP257483)
	Lot 2	
	Lot 302	
	Lot 303	
	Part Lot 1203	SP160055 (formerly described as Lot 1203 on SP160055)
	Lot 1302	SP195300
	Lot 711	SL4546
	Lot 900	SP257483
	Lot 301	
	Lot 10	SP335049
	PDA development application details	
DEV reference number	DEV2021/1200/14	
'Properly made' date	25 March 2025	
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	s99 Amendment Application: Material Change of Use for Temporary Events	

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 amendment approval is for: • Administrative amendments – ○ Remove DSDILGP definition, ○ Added DCOP definition, • Transitional Activations definition, Condition 1, Condition 3, Condition 8, and Standard Advice – Amended for clarity, • Condition 2 – Removed parts b) and c), • Condition 2A – Introduced new condition containing parts b) and c) from Condition 2, • Condition 4 – Amended to remove the compliance assessment requirement, • Condition 5A – Amended to include the use 'Market', • Condition 5 – Removed as it is no longer relevant, • Condition 7 – Amended to remove the compliance assessment requirement and removed part d), and • Condition 9 – Amended to include part d) from Condition 7.
Original Decision date	28 July 2022
1 st Change to approval date	03 April 2024
2 nd Change to approval date	04 April 2025
Currency period	Six (6) years from the original decision date

Assessment Team	
Assessment Manager (Lead)	Chessa Lao, Planner
Manager	Jennifer Sneesby, Manager
Engineer	N/A
Delegate	Beatriz Gomez, Director

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 03 April 2024		Number	Date
1.	Proposed Events/Transitional Activations Location Plan, prepared by Saunders Havill Group	10591 P 01 Rev C – CON 01	23 February 2024
Plans and documents previously approved on 28 July 2022		Number	Date
2.	Schedule 2: Baseline Carparking Capacity Tech Memo, prepared by Cardno	CEB06642	28 September 2021
3.	Preliminary Hazard Assessment, prepared by iCubed	Version 2	01 July 2021

Approved plans and documents			
4.	Broadscale Contamination Assessment Northshore Hamilton, prepared by Butler Partners		26 August 2021
5.	Draft Preliminary Contamination Assessment Industrial Site – Revision One, prepared by Butler Partners	CBRE Project no 018-150M	04 July 2022
6.	Revised Events Site Tech Memo, prepared by Cardno	CEB06642	27 September 2021
7.	Serviceability Report, prepared by Bornhorst & Ward	Rev C	January 2022
8.	Linemarking Plan, prepared by Bornhorst & Ward	SK-C0008 Rev B	24 January 2022

Supporting Plans and Documents

To remove any doubt, the following documents are not approved for the purposes of this PDA development approval, but rather are supporting documents.

Supporting plans, reports and specifications		Number	Date
9.	Land Use Plan, prepared by Landpartners	BRMM7695-000-147-16	14 December 2023

Preamble, Abbreviations, and Definitions

PREAMBLE

Nil

ABBREVIATIONS AND DEFINITIONS

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

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

DCOP means Development Charges and Offset Plan that applies to the PDA as amended or replaced from time to time.

EDQ means Economic Development Queensland.

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

EDQ IS means Economic Development Queensland's – Infrastructure Solutions team.

EP Act means the *Environmental Protection Act 1994*.

Event temporary buildings and structures mean any temporary stages, marquees or other temporary structures to be installed for and removed at the conclusion of a particular event. Examples of event temporary buildings and structures could include:

- a. marquees
- b. viewing towers
- c. tents
- d. spectator seating stands
- e. stages
- f. amenities
- g. refuse storage areas etc.

Event/s means any temporary pop-up activities with a duration of no more than four (4) months, unless otherwise agreed to in writing by the Director EDQ-DA.

MEDQ means the Minister for Economic Development Queensland.

PDA means Priority Development Area.

Transitional Activation/s means any temporary land use with a duration of more than four (4) months, which may involve semi-permanent structures/improvements, but do not extend beyond the life of the PDA Development Approval. All Transitional Activations which involve semi-permanent structures/improvements will need to be approved via Compliance Assessment application, pursuant to the conditions of this approval (unless otherwise agreed to in writing by the Director EDQ DA).

Temporary Events refers to both *Events* and *Transitional Activations* as defined under this approval.

RPEQ means Registered Professional Engineer of Queensland.

Compliance assessment

Where a condition of this 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 EDQ Development Assessment Fees and Charges Schedule¹ (as amended from time to time).
 - ii) submit to EDQ DA a duly completed Compliance Assessment form².
 - iii) submit to EDQ DA the documentation as required under the relevant condition.
- b) 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.
- 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) applicant submits items required under a) above to EDQ DA for Compliance Assessment.
 - ii) **within 20 business days** – EDQ assesses the documentation and:
 - 1. if satisfied, endorses the documentation; or
 - 2. if not satisfied, notifies the applicant accordingly.

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.

- 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:
 - 1. if satisfied, endorses the revised documentation; or
 - 2. 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 IS, use the following email addresses:

- a) EDQ DA: pdadevelopmentassessment@edq.qld.gov.au
- b) EDQ IS: PrePostConstruction@edq.qld.gov.au

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 and any other documentation endorsed via Compliance Assessment as required by these conditions.	Prior to commencement of use and to be maintained
2.	Duration of Interim Use (8 years and 5 months) This PDA development approval is in effect up to 31 December 2030.	As indicated
2A.	Compliance Assessment – Decommissioning Strategy a) Submit to EDQ DA, a decommissioning strategy for Compliance Assessment 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 (unless otherwise approved in writing by EDQ DA that buildings and constructed infrastructure can remain). b) Carry out all necessary works as a result of part a) of this condition.	a) Six (6) months prior to the expiry of the duration of use indicated in Condition 2 b) Within three (3) months of the expiry of the duration of use indicated in Condition 2

PDA Development Conditions		
No.	Condition	Timing
3.	Enter into a Licence Agreement or Lease with the Landowner Each prospective Temporary Events operator, that is not the landowner, must enter into a Licence Agreement or Lease with the landowner prior to the commencement of each respective Temporary Event.	Prior to the commencement of use
4.	Events a) For events where a Self-Assessable Event Permit or an Assessable Event Permit is <u>not required</u> to be obtained from Brisbane City Council, the Event operator will need to enter into a Licence Agreement with EDQ – Urban Development which will include an Events Checklist and risk assessment requirement. b) For events where a Self-Assessable Event Permit or an Assessable Event Permit <u>is required</u> to be obtained from Brisbane City Council, submit the following details in writing to EDQ DA: i) Summary of the event proposed to be located on the site, ii) Contact details of the event organiser, iii) The proposed dates of commencement and cessation of the event, and iv) A copy of the Brisbane City Council Self-Assessable Event Permit or an Assessable Event Permit.	a) Prior to commencement of use b) Prior to the commencement of use
5.	Removed	
5A.	Transitional Activations and Events a) For the purposes of this approval, Transitional Activations and Events include the following land uses as defined within the Northshore Hamilton PDA Development Scheme: i) Bar, ii) Educational Establishment, iii) Food and Drink Outlet, iv) Function Facility, v) Garden Centre, vi) Indoor Sport and Recreation, vii) Nature-Based Tourism, viii) Outdoor Sport and Recreation, ix) Shop, x) Showroom, xi) Theatre, xii) Tourist Attraction, xiii) Community Facility, xiv) Office, xv) Research and Technology Industry, and xvi) Market.	a) At all times

PDA Development Conditions		
No.	Condition	Timing
	b) Any other use not listed in part a) is to be agreed to in writing by the Director EDQ DA as being consistent with the Vision for Northshore's waterfront precinct.	b) <u>For Transitional Activations:</u> Prior to commencement of site works. <u>For Events:</u> A minimum of 2 weeks (for low tier events) and 4 weeks (for medium to high tier events) prior to the commencement of use
6.	Removed	
7.	Hours of Operation a) Outdoor sport and recreation (Tennis Courts): 6:00a.m. to 10:00p.m., 7-days a week. b) Market (Eat Street): i) Friday and Sunday (and Public Holidays that fall on these days) – 10:00a.m. to 10:00p.m. c) Unless otherwise agreed to in writing by the Director EDQ DA, other 'Transitional Activations' do not operate after 11:00p.m., with all venues vacated by 12:00a.m.	a) As indicated b) As indicated c) As indicated
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 drain lines) that may occur during any works carried out in associated with the approved Transitional Activations.	Prior to commencement of use and at end of Transitional Activations
9.	Compliance Assessment – Transitional Activations – Temporary Buildings and Structures a) Where the construction of non-Event temporary buildings and/or structures is proposed, submit to EDQ DA for Compliance Assessment, plans/supporting information demonstrating the proposed building and/or structure is temporary in nature, and a full set of plans with dimensions (site plan, floor plans, elevations, sections, roof plans, building materials, a materials schedule, etc.) must be prepared by a suitably qualified professional, and detail the following: i) site location, ii) site size and configuration (with dimensions), iii) building height, gross floor area and site cover, iv) interface with existing and proposed adjoining development (both internal and external to the site where relevant), v) parking and servicing arrangements,	a) Prior to commencement of works on site for temporary buildings and structures

PDA Development Conditions

No.	Condition	Timing
	vi) site servicing – including sewerage, water supply, stormwater management, electricity, telecommunications, vii) Earthworks plans detailing proposed works and how they tie in with adjoining land, viii) an RPEQ certified, car parking demand analysis, for the proposed 'transitional activation' demonstrating any changes to peak demand, and ix) any other information deemed necessary by the MEDQ at the time of assessment. b) Carry out works in accordance with the Compliance Assessment endorsement provided under part a) of this condition. c) Transitional activations must not be located within 10m of the riverfront. d) If a residential or mixed-use building is constructed within 150m of an individual Transitional Activation operating under this planning approval on any other area within the Proposed Events/Transitional Activations Location Area: i) The hours of operation are to be reduced to 8:00p.m., or ii) Submit to EDQ DA for Compliance Assessment a Management Plan (or plans) demonstrating how potential adverse impacts from Transitional Activations will be mitigated for the residents of the residential or mixed-use building/s.	b) Prior to commencement of the relevant transitional activation c) At all times and to be maintained d) Prior to the occupation of the building by residents
10.	Compliance Assessment – Site Suitability a) Where earthworks or other activities are proposed that disturb the surface of the land or where a built enclosed structure is to be constructed, submit to EDQ IS for Compliance Assessment, a site specific Contamination Assessment having proper regard to the proposed works and end use. b) Carry out works in accordance with the compliance endorsement required under part a) of this condition.	a) At all times b) Prior to commencement of any surface disturbing activities
11.	Public Access 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

PDA Development Conditions		
No.	Condition	Timing
12.	Construction Management Plan (Transitional Activations – Temporary Buildings) a) Submit to EDQ IS, 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: i) noise and dust in accordance with the EP Act, ii) 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, iii) contaminated land, where required under s site suitability statement prepared in accordance with section 389 of the EP Act, iv) complaints procedures, v) site management: 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 and / or 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. b) A copy of the CMP submitted under part a) of this condition must be current and available on site. c) Carry out all construction work generally in accordance with the CMP submitted under part a) of this condition.	a) Prior to the commencement of site works b) At all times c) As indicated

PDA Development Conditions		
No.	Condition	Timing
Infrastructure		
18.	Infrastructure Charges According to Appendix 7 – Interim use charges conditions: Infrastructure charges are payable on approved Transitional Activations after 28 July 2028 in accordance with the DCOP as amended from time to time. Infrastructure charges are not applicable to Events occurring under Condition 6 for a period of less than four (4) months (unless otherwise agreed to in writing by Director EDQ DA).	At all times

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.

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 (*Events Local Law 2022*); *Liquor Act 1992*; *Food Act 2006*; *Explosives Regulation 2017* etc. All other requisite approvals/licences relevant to each intended Temporary 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 building 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 Temporary Event commencing.

**** End of Package ****