30 September 2026

Economic Development Queensland
GPO Box 2202
BRISBANE QLD 4001

Via Email: pdadevelopmentassessment@edq.qld.gov.au

EDQ Reference: DEV-2026-NSH-5089
Attention: Amanda Dryden and Elizabeth Piper

Dear Amanda and Elizabeth,

RE: Request for a Change under Section 99 of the Economic Development Act 2012 to a Development Approval – Development Permits for Material Change of Use for Multiple Dwelling, Shop, Food and Drink Outley and Office at 260 MacArthur Avenue, Hamilton

We write to EDQ on behalf of the Applicant, Silverstone Landholding No 21 Pty Ltd, with respect to the abovementioned approval issued over what is now referred to as 260 MacArthur Avenue, Hamilton (Lot 181 on SP348282). The original approval was granted on 27 May 2025 for a Material Change of Use for Multiple Dwelling at 260 MacArthur Avenue, and a subsequent change to the approval was granted on 22 September 2026, in accordance with Section 99 of the Economic Development Act 2012 (vide: DEV-2026-NSH-5089).

At the time of original lodgement, this Development Application was submitted over part of Lot 6 on SP326594, that part of Lot 6 now comprises Lot 181 on SP348282. Lot 181 was created under Development Approval DEV2024/1581/3. Development Approval DEV2024/1581/3 also comprised the construction of 195 residential units and ground level retail, over the eastern portion of the parent lot, and which is currently under construction.

Since approval of the recent Section 99 Change, the servicing crossover has been redesigned on the proposed plans to allow servicing vehicles to enter and exit the bay without requiring any modification to the existing WSUD device. As such, Condition 39 of the approval is requested to be removed.

The Applicant seeks to regularise the change by requesting a Change (Amendment Application) to the approval, pursuant to Section 99 of the Economic Development Act

2012 ("The Act"). The changed proposal complies with the relevant assessment benchmarks having regard to the existing approval. We therefore request the conditions are altered in accordance with Section 99 of the Act.

This request for a Section 99 Amendment to a Development Approval is accompanied by:

- PDA Development Application form;
- Amended Architectural Plans and Design Reporting prepared by Plus Studio; and
- Amended Transport Engineering Assessment prepared by Colliers.

This letter now sets out the changes proposed.

Site Details

The land is formally described as Lot 181 on SP348282 which has a total site area of 6,623m^2. The land is situated between Karakul Rd, Barcham Road and MacArthur Ave (South)(Figure 1). Works which have occurred on this site are limited to those associated with vegetation clearing and the construction of a sales office. The subject site was created under approval DEV2024/1581/3, which separated the eastern and western portions of the site.



Figure 1: Subject Site (Source: Plus Studio)

The subject site is located within the Hamilton Northshore Priority Development Area (PDA) (Figure 2). The Northshore Hamilton PDA Development Scheme includes the site in the Mixed Use High Density Zone (Figure 3). Development in this zone is intended to provide a wide range and intensity of commercial, retail, health and medical, community, entertainment, cultural activities, residential and accommodation uses in a predominantly high-rise built form and is characterised by outstanding architecture which defines a unique skyline for the PDA.



Figure 2: Northshore Hamilton Priority Development Area (Source: NH PDA Development Scheme)

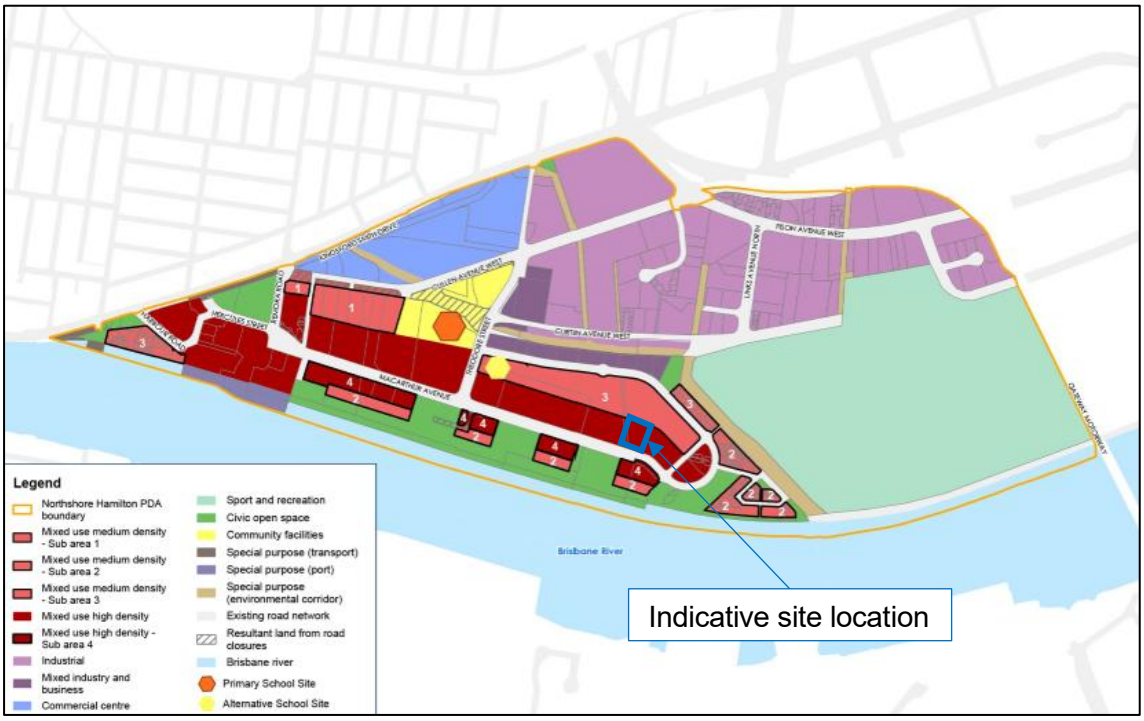


Figure 3: Site Zoning (Source: NH PDA Development Scheme)

Application History

DEV2024/1581/3 - Development Permit for Material Change of Use for multiple dwelling (176 units), shop, and food and drink outlet, and Reconfiguring a Lot

This approval was originally granted on 8 May 2025 and has since been modified. The residential towers within the approval are in the process of being constructed. The subdivision component has been enacted, allowing the two developments, that approved under DEV2024/1581/3 and that approved under the approval to be Changed through the application at hand, to sit on separate standard format lots.

DEV2024/1602 – Development Permit for Material Change of Use for Multiple Dwelling

This Development Approval is for a Material Change of Use for Multiple Dwelling and was granted on 27 May 2025 (vide: DEV2024/1602). This is the approval to which the change at hand relates. Specifically, the development facilitates 2 x apartment buildings containing 253 units, comprising 26 x 1 bedroom (10% of total units), 188 x 2 bedroom (74%) and 40 x 3 bedroom units (16%).

The application was assessed and approved under the Northshore Hamilton PDA Development Scheme Amendment No 1. (Effective October 2022) and the Economic Development Act 2012.

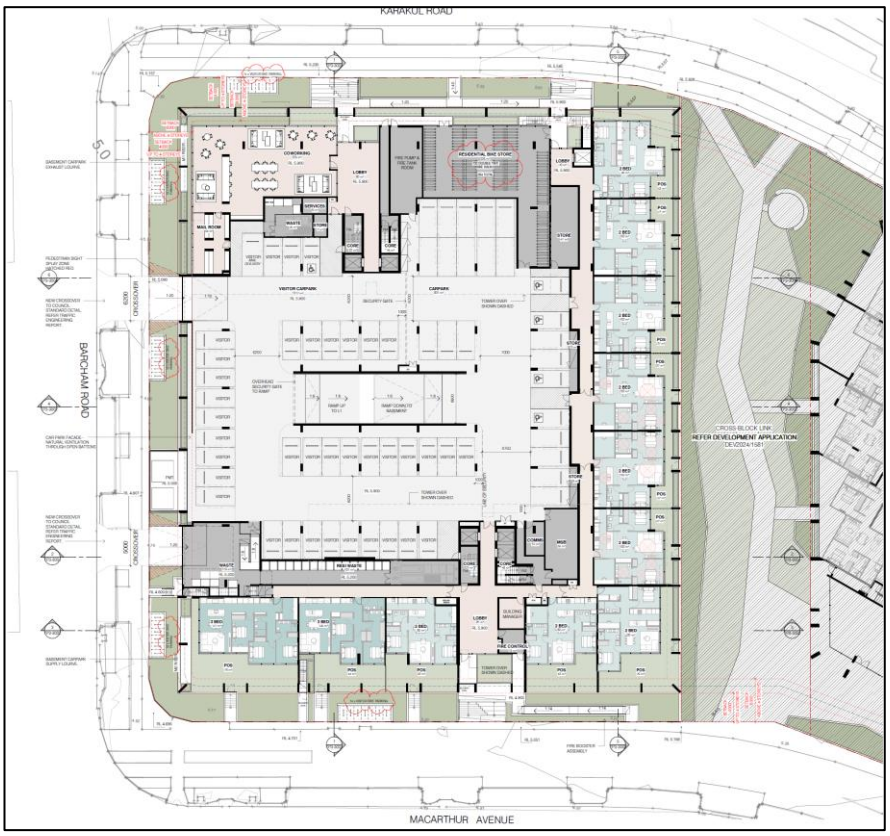


Figure 4: Approved Ground Level Plan (Source: CARR)

DEV-2026-NSH-5089 – Section 99 Minor Amendment to a Development Permit for Material Change of Use for Multiple Dwelling (275 units), Shop, Food & Drink Outlet, and Office

This application sought a change to a PDA Development Approval in accordance with Section 99 of the Economic Development Act 2012.

The change application sought approval to remove Conditions 36 and 37 and to make changes to the following built form aspects:

1. Ground Floor Configuration and Uses

The development previously had 6 residential units, fronting McArthur Avenue, which will now be occupied with retail spaces. As the development is somewhat isolated from retailing, this decision will provide future residents with direct access to a range of supportive non-residential uses.

The vehicle access at ground level has been altered. Specifically, the following access arrangements that have been changed are:

- A 6.2m wide Type B2 crossover (residential/visitor access) to Karakul Road on the northern site frontage (Figure 5). This access will accommodate all residential/visitor vehicles with all movements permitted.
- A 5.0m wide Type B2 crossover (service vehicle/loading bay access) to Barcham Road (Figure 5).
- Pedestrian access to/from the development from the northern, southern and eastern site frontage (Karakul Road, MacArthur Avenue and eastern cross-block link).
- Direct access to visitor bicycle racks from the footpath and resident access via the Karakul Road vehicle access and ramp to basement or building lifts.

2. Unit Mix

Following buyer market feedback, the development sought to alter the unit mix and increase the number of total dwellings from 253 units to 275 units. More specifically, the following changes were made to the unit mix and total:

- 25 x 1 bedroom units
- 188 x 2 bedroom units
- 40 x 3 bedroom units (253 Total)

to

- 18 x 1 bedroom units
- 101 x 2 bedroom units
- 156 x 3 bedroom units (275 Total)

3. Car Parking

To facilitate the increase in total units, the development provided an increase to the total car parking spaces. Specifically, 470 car spaces were proposed and distributed as follows:

- 434 parking spaces for residents
- 36 spaces for visitors.

4. Tower Built Form

For the development to accommodate to the increase in units and unit mix some features of the built form were altered. Most notably, Building 1 proposes a maximum width of 52.8 meters and Building 2 proposes a maximum width of 60 meters. This resulted in a minor increase to the plot ratio to 4.1:1.

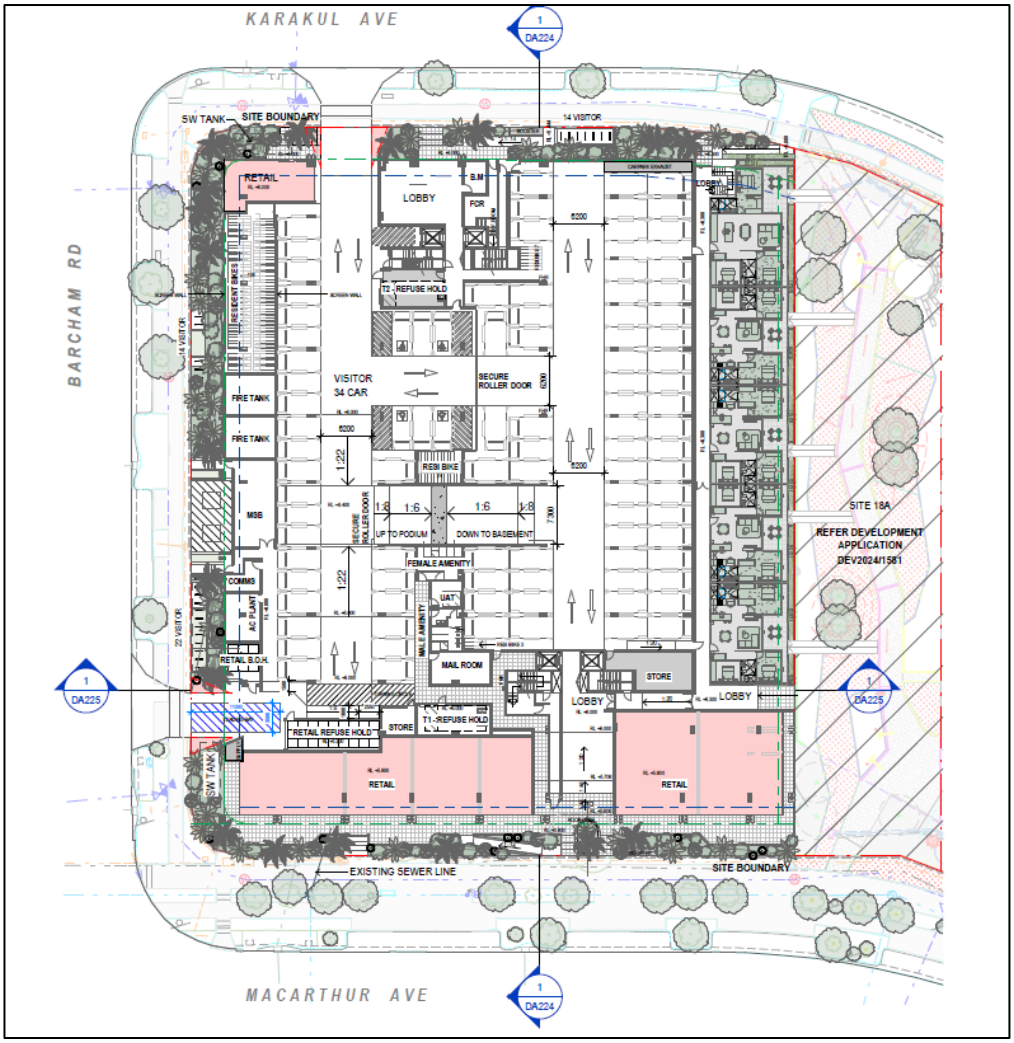


Figure 5: Approved Ground Level Plan (Source: Plus Studio)

Proposed Changes

This section sets key changes to the approved development.

Changes to Servicing Crossover

The development was approved with a separate 5.5m, Type B2 servicing crossover to Barcham Road. Notably, a Water Sensitive Urban Design device is located within the verge, on the southern side of the crossover flare. EDQ noted within the approval that the proposed flare may interfere with the WUSD device and subsequently included a new condition in the approval requiring alterations to this device in accordance with PDA Guideline No. 13.

To avoid the requirement for alterations to the WUSD device, the southern flare of the crossover has been altered on the ground floor plan (Figure 6). Specifically, the extent to which the flare extends has been reduced, resulting in a narrower crossover.

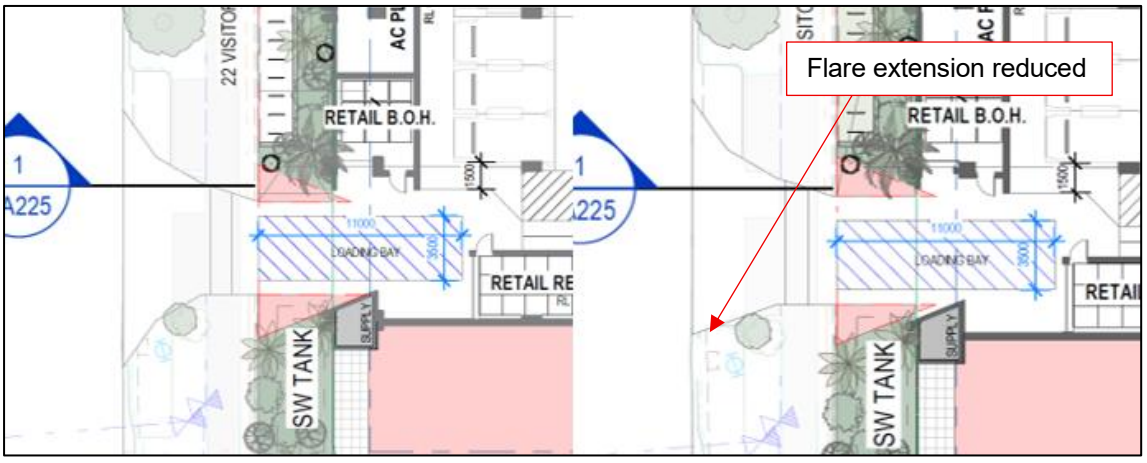


Figure 6: Approved Servicing Crossover (Left) vs Proposed Change (Right) (Source: PLUS Studio)

Notwithstanding, an updated Transport Engineering Report has been prepared by Colliers to assess the proposed crossover alterations. Specifically, amended swept paths have been prepared to demonstrate that a LRV and Rear Loader can still enter and exit the site in a compliant manner (Figures 7 and 8).

As such, it is considered that Condition 39 can be removed from the conditions of approval.

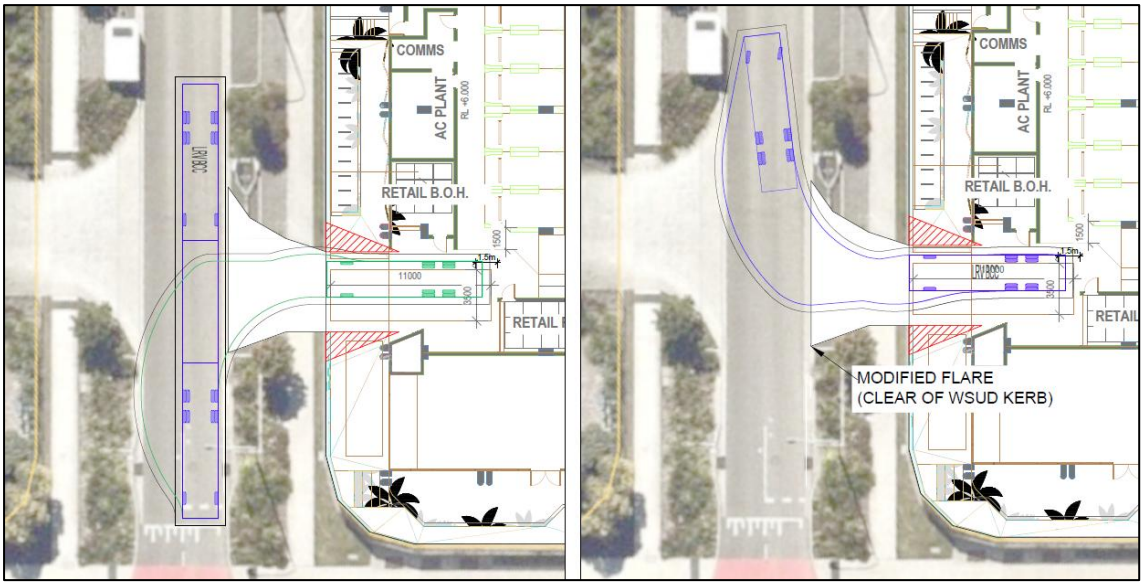


Figure 7: LRV Swept Path Analysis (Source: Colliers)

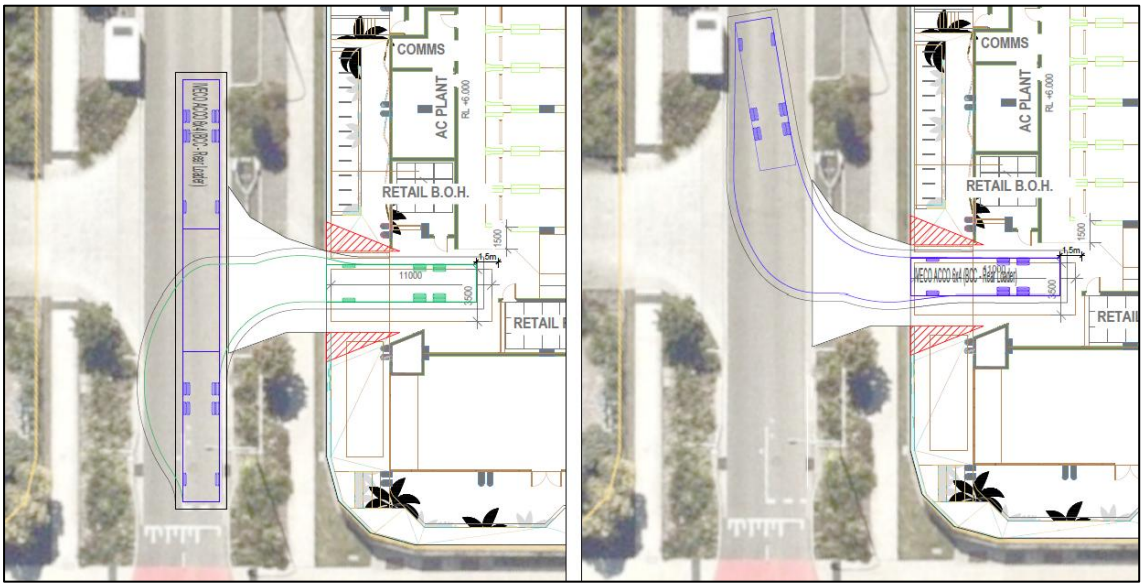


Figure 8: BCC Rear Loader Swept Path Analysis (Source: Colliers)

Changes to Approved Drawings and Documents List

This application proposes to amend the approved plans and documents in accordance with the changes described above. The approved plan list is shown in the table below, with the proposed plan changes highlighted in red.

Approved Plans and Documents		Number	Date
1.	Geotechnical and Acid Sulphate Soils Investigation Report site 18 prepared by Core Consultants Pty Ltd	J002466-005-R-Rev1	12 March 2025
2.	Acid Sulphate Soils Management Plan site	J002466-003-R-Rev1	12 March 2025

	18 (Site 18a & 8b) prepared by Core Consultants Pty Ltd		
3.	Transport Engineering Report Lot 18B, 260 Mac Arthur Avenue prepared by Colliers	24BRT0353 RP01	22 March 26
4.	Operational Waste Management Plan Lot 18B, 260 Mac Arthur Avenue prepared by Colliers	24BRW0255 Rev 3	13 July 2026
5.	Civil Engineering Report Site 18B, 260 MacArthur Avenue prepared by Meliora	AU250166 Rev 01	29 July 2026
6.	Flood Assessment, Lot 18B, Northshore Hamilton prepared by Water Engineering Partners	R.30253.003.02	13 March 2025
7.	Landscape Schematic Design 330 MacArthur Avenue on part Lot 6 on SP326594 prepared by Dunn and Moran	2404601 SD-01 Issue G	04/09/2026
8	Acoustic Report Site 18B 260 MacArthur Avenue prepared by Acoustic Works	2025154 R01A	24 April 2025
9.	Site Plan - Proposed	DA015 Issue 1	28 August 2026
10.	Overall Floor Plans – Basement 01	DA099 Issue 2	28 August 2026
11.	Overall Floor Plans – Ground	DA100 Issue 5	23 September 26
12.	Overall Floor Plans – Level 01	DA101 Issue 3	28 August 2026
13.	Overall Floor Plans – Level 02	DA102 Issue 3	28 August 2026
14.	Overall Floor Plans – Level 03 – Podium Roof	DA103 Issue 2	28 August 2026
15.	Overall Floor Plans – Level 4-12 Typical	DA104 Issue 3	28 August 2026
16.	Overall Floor Plans – Level 13 – Building 2 Rooftop	DA105 Issue 3	28 August 2026
17.	Overall Floor Plans – Level 14-16 – Building 2 Roof	DA107 Issue 3	28 August 2026
18.	Overall Floor Plans – Building 1 Rooftop	DA109 Issue 3	28 August 2026
19.	Overall Floor Plans – Building 1 Roof	DA110 Issue 3	28 August 2026
20.	Site Elevations – North + West	DA200 Issue 3	28 August 2026
21.	Site Elevations – South + East	DA201 Issue 3	28 August 2026
22.	Section A	DA220 Issue 2	28 August 2026
23.	Section B	DA221 Issue 2	28 August 2026
24.	Section C	DA222 Issue 2	28 August 2026
25.	Section D	DA223 Issue 2	28 August 2026
26.	Site Section 1	DA224 Issue 3	28 August 2026
27.	Site Section 2	DA225 Issue 3	28 August 2026

Conditions to be Altered

As described above, the accompanying Transport Engineering Report prepared by Colliers demonstrates that a LRV and Rear Loader refuse collection vehicle can still enter and exit the site in a compliant manner, despite the alterations made to the crossover.

Considering the amended crossover does not impact the WSUD device within the verge, it is requested that Condition 39 be removed.

Statutory Requirements

Application to Change PDA Development Approval

In accordance with Section 99 (2), the amendment application may be made only if MEDQ is satisfied the change would not result in the relevant development being substantially different. In accordance with Section 99 (3), Division 3 (PDA Development Applications) applies for an amendment application.

In accordance with Division 3, Section 85(4) of the Economic Development Act 2012, EDQ must decide to:

> *"(a) grant all or part of the PDA development approval applied for; or*
> *(b) grant all or part of the PDA development approval applied for subject to conditions decided by MEDQ (each a PDA development condition); or*
> *(c) refuse to grant a PDA development approval."*

The proposed changes are largely internal and do not result in a substantial change to the development's appearance.

Prohibited Development

The proposed development is not identified as being prohibited development.

Referral Agencies

The original approval did not trigger referral to any state agencies and the change proposed would not trigger any referral agencies.

Level of Assessment

When initially approved, the development was defined as Permissible Development. The proposed changes would not alter the formal level of assessment for this application.

Submissions

The original approval was defined as Permissible Development and did not require public notification. No submissions were noted as having been received. The proposed amendment application does not require public notification.

Changes to Planning Instruments

Pursuant to Section 87(1)(d)(ii) of the Economic Development Act 2012, the MEDQ 'must consider –

"(ii) for an application for development in, or PDA-associated development for, another priority development area—

> *(A) **if a development scheme is in effect for the area when the application is decided—the development scheme**; or*

(B) if a development scheme is not in effect for the area when the application is decided, but there is a proposed development scheme for the area—the interim land use plan for the area and the proposed development scheme; or
(C) if a development scheme is not in effect for the area when the application is decided and there is no proposed development scheme for the area—the interim land use plan for the area; and"

The most recent iteration of the development was approved under the Northshore Hamilton Priority Development Area Development Scheme No. 1 (Effective 21 November 2025), which remains as the relevant planning instrument. As demonstrated within this application, the development remains consistent with the relevant planning instruments, in particular, the Vision of the Northshore Hamilton PDA Development Scheme.

Conclusion

This application seeks a further change to a PDA approval in accordance with Section 99 of the Economic Development Act 2012 over 260 MacArthur Avenue, Hamilton (vide: DEV-2026-NSH-5089). The proposal seeks alterations to the servicing crossover on Bracham Road and the removal of Condition 39. We are of the opinion that the proposed alterations meet the criteria to constitute a Change within the meaning of Section 99 of the Economic Development Act 2012. We therefore request that the change is assessed and decided pursuant to Division 3 the Act.

Thank you for your consideration of this request. Should you require any further clarification or information, please don't hesitate to contact our office on (07) 3360 4200.

Yours faithfully
URBAN STRATEGIES PTY LTD



Joshua Daley
SENIOR TOWN PLANNER