Queensland
Government

Department of
State Development, Infrastructure and Planning

DEV2012/327

10 October 2013

Economic Development Queensland
c/- Ms Amy Russell
Saunders Havill Group Pty Ltd
9 Thompson Street
BOWEN HILLS QLD 4006

Dear Amy

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR EVENTS VENUE (TEMPORARY) AT PART 221 MACARTHUR AVENUE, HAMILTON DESCRIBED AS PART LOT 1303 ON SP195300

On 9 October 2013 the Minister for Economic Development (MEDQ) approved the application to change the Priority Development Area (PDA) development approval pursuant to s.99 of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the change to the PDA development approval applied for subject to PDA development conditions set out in the attached PDA Development Approval Package.

The PDA development application and the decision notice can also be viewed in the MEDQ Development Approvals Register via the Department of State Development, Infrastructure and Planning website http://edq.qld.gov.au/infrastructure-and-planning/priority-development-area-development-approvals.html.

Should you have any queries in relation to the decision notice, please do not hesitate to contact Zoe Boal on 3174 0206.

Yours Sincerely

Patrick Atkinson
Director – Development Assessment

Executive Building
100 George Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3227 8548
Website www.dsdip.qld.gov.au
ABN 29 230 178 530

PDA Decision Notice – Approval

Site information		
Name of urban development area (PDA)	Northshore Hamilton	
Site address	Part 221 MacArthur Avenue, Hamilton	
Lot on plan description	Lot number	Lot description
	Part Lot 1303	SP195300
PDA development application details		
MEDQ reference number	DEV2012/327	
Lodgement date	23 September 2013	
Type of application	☐ New development involving:- ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☑ Changing a PDA development approval Extending the currency period of a PDA approval	
Description of proposal applied for	Change to Approval – Material Change of Use for Events Venue (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.
Original Decision date	24 October 2012
Change to Approval date	9 October 2013
Currency period	10 Years from Original Decision Date

Plans and specification

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

Approved plans, reports and specifications		Number *(if applicable)*	Date *(if applicable)*
1.	Proposed Temporary Events Venue	6484 P 02 B Rev. B	19.07.2012
2.	Schedule 1 – Schedule of Activities		16.10.2012

PDA Development Conditions

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.	**Duration of Interim Use (10 years)** a) This PDA development approval is for a period of 10 years from the original decision date. b) Submit to the Director - Development Assessment Division of DSDIP, 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 / 10 year duration of the PDA development approval. c) Carry out all necessary works as a result of part b) of this condition.	a) As indicated b) Prior to the commencement of use c) Prior to the commencement of use
3.	**Enter into a Licence Agreement or Lease with the landowner** Each prospective activity/event operator, that it not the landowner, must enter into a Licence Agreement or Lease with the landowner prior to the commencement of each respective activity/event.	Prior to the commencement of use

<table>
<tr><td></td><td></td><td></td></tr>
<tr><td>4.</td><td>For other uses not listed in Schedule 1 – Schedule of Activities

Submit to the Director - Development Assessment Division of DSDIP, for compliance endorsement a report demonstrating that the proposed activity is generally in accordance with the approved temporary Events Venue use.</td><td>Prior to a lease being entered into with the landowner</td></tr>
<tr><td>5.</td><td>Events Management Plan
For all activities/events, submit to the satisfaction of the Director – Development Assessment Division of DSDIP, an Events Management Plan detailing:

• a car parking plan (which includes all car parking spaces, aisles and access arrangements);
• a traffic management plan (which involves all vehicular movements generated by the operator's use and demonstrates traffic is directed away from emerging residential uses);
• hours of operation, insurance, indemnity and release;
• power and lighting management plan;
• level of noise, light and dust pollution
• emergency management plan
• provision of water supply and sanitary conveniences
• telecommunication provisions
• refuse storage and collection; and
• an environment and complaints management plan.</td><td>Prior to the commencement of use</td></tr>
<tr><td>6.</td><td>Event frequency

The approval grants access for temporary activities/events to occur in the following tier based system:

<table>
<tr><th></th><th>Low tier</th><th>Medium tier</th><th>High tier</th></tr>
<tr><td>Patrons during course of each temporary event</td><td><2000 persons</td><td>2001-10,000 persons</td><td>>10,000 persons</td></tr>
<tr><td>Duration of each temporary event</td><td>Max. 2 weeks</td><td>Max. 4 weeks</td><td>Max. 3 months</td></tr>
<tr><td>No. of each temporary</td><td>No limit</td><td>No more than 6*</td><td>No more than 4</td></tr>
</table></td><td>Ongoing</td></tr>
</table>

	events per year				

*excluding regular 'Market' that may occur up to 3 times per week over the term of the approval.

7.	**Notice to Development Assessment Division of DSDIP** A minimum of 2 weeks (for low tier events) and 4 weeks (for medium or high tier events) prior to the commencement of use, provide to the Director - Development Assessment Division of DSDIP details of: a) the proposed event to be located on the site; and b) the proposed dates of commencement and cessation of the event.	a) Prior to commencement of use b) Prior to commencement of use
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 drainlines) that may occur during any works carried out in association with the approved events.	Prior to commencement of use and at end of an activity/event
9.	**Temporary Buildings and Site Improvements** a) Where the installation of temporary ancillary buildings or site improvement is required on the site, submit for endorsement to Principal Engineer – Development Assessment Division of DSDIP, a plan identifying the proposed layout including location of temporary buildings, any site improvements and car parking. b) The endorsed plan must form part of the Licence Agreement or Lease with the landowner.	a) Prior to commencement of use b) Prior to commencement of use
10.	**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

11.	**Future Road** In accordance with the approved Sub-precinct Plan and Reconfiguration Plan for Precinct 3(d), land designated for future road is available for event use until such time as the land is required for road construction purposes.	As indicated

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 ****