

Growth, Prosperity, Community.

GPC Document No. 1434586 GPC Ref: DA2017/09 Your Reference:

1 August 2018

Ms Sandra Edge Okara Pty Ltd PO Box 9153 BURNETT HEADS QLD 4670

Email: adminstration@okara.com.au

Dear Ms Edge

CHANGED DECISION NOTICE - DA2017/09

Please find attached the Changed Decision Notice for DA2017/09 for the following development:

1. Description Of Proposed Development

Adding bulk fuel storage (33,500L) and refuelling bay for Okara vehicles only, as well as adding one igloo building for product storage and bagging motor to the existing approved activities of motor vehicle maintenance, vehicle and equipment storage, fabrication of concrete panels, bulk material storage, loading and unloading and bulk bag storage, loading and unloading. Products handled include cement, gypsum and silica sand in volumes that do not trigger a requirement for an Environmentally Relevant Activity (ERA) 50 of any category.

2. Changed Conditions

Please note that Condition 29 has been changed to:

All liquid and solid waste must be appropriately stored on site in such a manner as to prevent contamination of port land. All regulated waste must be appropriately disposed of off site in a timely manner at an approved facility. The 1000L holding tank to contain liquid waste pumped from the drive-over is to be appropriately stored and bunded.

For further information please contact Judy Horsfall, Planning Officer on 07 4976 1314 or horsfallj@gpcl.com.au or Sarah Hunter, Principal Planning Advisor, on 07 4976 1287 or via email hunters@gpcl.com.au.

Yours sincerely

Sarah Hunter

Principal Planning Advisor

1 August 2018



Growth, Prosperity, Community.

GPC Document No. 1426015 GPC Ref: DA2017/09 Your Ref.:

1 August 2018

Ms Sandra Edge Okara Pty Ltd PO Box 9153 BURNETT HEADS QLD 4670

Email: administration@okara.com.au

Dear Ms Edge

CHANGED DECISION NOTICE - APPROVAL WITH CONDITIONS - DA2017/09

(GIVEN UNDER S83 PLANNING ACT 2016 AND THE PROVISIONS OF PORT OF BUNDABERG LAND USE PLAN 2009)

This changed decision notice replaces the decision notice dated 5 June 2018.

1. Application Details

Application Number:	DA2017/09
Applicant Name:	Mr Phill Casey, Okara Pty Ltd
Applicant Contact Details:	Sandra Edge Okara Pty Ltd PO Box 9153 BURNETT HEADS QLD 4670 Email: administration@okara.com.au
Approvals Sought:	Material Change of Use for port industry
Details of Proposed Development:	Vehicle and Equipment Storage, Fabrication of Concrete Panels and Bulk Material Handling
Location Street Address:	67 Buss Street BURNETT HEADS QLD 4670
Location Real Property Description:	Part of Lot 1 on RP137256, and Part of Lot 276 on SP128643
Land Owner:	Gladstone Ports Corporation Limited
Present Zoning & Precinct	Strategic Port Land – Port Industry, Light/Commercial Industry and Terminals/Wharves Precincts

2. Details Of Proposed Development

Proposed development includes:

- 1. Fabrication of concrete panels
- 2. Storage of vehicles and equipment
- 3. Temporary office and amenities
- 4. 3 concrete storage bunkers and 2 igloo storage buildings
- 5. Storage of bulk bags of cement, ship unloading of bulk bags of cement
- 6. Storage of bulk gypsum (max. 5000t), handling/unloading bulk gypsum less than 100t per day
- 7. Storage of bagged gypsum
- 8. Bagging and distributing bagged gypsum
- 9. Storage of bulk silica sand (max. 5000t), handling/unloading bulk sand less than 100t per day within lease area
- 10. Motor vehicle maintenance
- 11. Bulk diesel storage up to a maximum of 34,000L for refuelling Okara vehicles only i.e. on-selling of fuel is not approved.

3. Details Of Decision

This minor change application was decided on 1 August 2018.

This development application is **approved in full with conditions**. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

4. Details Of Approval

This development approval is a **Development Permit** given for:

a) Material Change of Use for port industry (*Planning Regulation 2017* reference Schedule 10, part 13, division 5 and Port of Bundaberg Land Use Plan 2009) including a material change of use and operational works for bulk fuel storage, refuelling bay and additional igloo building.

SUPERSEDED

Material change of Use for port industry and minor change for motor vehicle maintenance – dated 5 June 2018.

5. Conditions

This development approval is subject to the conditions in Attachment 1 - Part 1.

6. Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Not applicable

7. Properly made submissions

Not applicable – No part of the application required public notification.

8. Approved Plans and Specifications -

Copies of the following plans, specifications or drawings are enclosed in Attachment 2:

Drawing/report title	Prepared by	Date	Reference no.	Version
Aspect of development: Mate	erial Change of Us	e and Operation	al Works	_1
Operational Environmental Management Plan	Okara Pty Ltd	July 2018		Ver 2
Traffic Management Plan and associated traffic flow diagrams	Okara Pty Ltd	January 2018		
Stormwater Management Plan	Empire Engineering	August 2017	Project Ref: CC- 3912	Rev. B
"Igloo" Structural Design Certificate	Cook and Roe	27/09/2016	30203- 1824CIM.DOCX	
Shelter Assembly: shelter code: CASA1824CIM	Allshelter	27/09/2016	Sheet 1 - 11	
Pacific Petroleum self bunded storage tank – 33,460L picture	Okara Pty Ltd			
Self bunded storage tank – sheet 1 of 10	GES	01/05/2016	Dwg No. / Part No. TOS-38-00	01
Spill containment unit – sheet 1 of 3	GES	11/08/2014	Dwg No. / Part No. TOS-SCU-A000- 3MT	02
Spill containment unit with ramps rev 2 – sheet 2 of 3	GES	11/08/2014	Dwg No. / Part No. TOS-SCU-A000- 3MT	02
Site Layout Plan received via email 13/06/2018	Okara Pty Ltd			

9. Currency Period for the Approval

This development approval will lapse at the end of the periods set out below:

- For Material Change of Use this approval lapses 6 years after this approval decision date reference section 85 of the *Planning Act 2016*;
- For all other approvals excluding Reconfiguring a Lot, the approval lapses 2 years after the approval decision date reference section 85 of the Planning Act 2016.

10. Rights of Appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Attachment 3 is an extract from the Planning Act 2016 that sets down the applicant's appeal rights and the appeal rights of a submitter.

For further information please contact Sarah Hunter, Principal Planning Advisor, on 07 4976 1287 or via email hunters@gpcl.com.au.

Yours sincerely

Sarah Hunter

Principal Planning Advisor

1 August 2018

Cc: relevant local government

Enc. Attachment 1: Conditions of Approval

Part 1 - Conditions imposed by the assessment manager

Approved plans and specifications Attachment 2:

Attachment 3: Extract of appeal provisions

ATTACHMENT 1: CONDITIONS OF APPROVAL

PART 1: ASSESSMENT MANAGER CONDITIONS

In general the development proposal is in compliance with the requirements of Gladstone Ports Corporation Limited (GPC). This development approval is subject to each of the following conditions which are stated by GPC, the assessment manager.

Part 1a: Approval sought under *Planning Act 2016* – MCU for port industry and bulk fuel storage

GENERAL

- 1. The proposed development must be carried out generally in accordance with the plans as lodged with the application except where modified by conditions of this permit.
- 2. Unless otherwise stated, all conditions must be completed prior to the commencement of the use.
- 3. Where additional "approval" is required under these conditions by GPC for drawings or documentation, the proponent must submit for review, amend to the satisfaction of, and obtain written acceptance from the Gladstone Ports Corporation. Only in this manner can compliance with the condition be achieved.
- 4. All other relevant regulatory approvals must be obtained before commencement of works or operation of the facility.
- 5. The proponent must inform GPC of completion of works within 14 days of practical completion and undertake a site inspection with GPC. The proponent must also certify that the development is constructed as per design and provide RPEQ certification that the development has been constructed in accordance with the approved plans.
- 6. The proponent must at its cost and expense, keep and maintain the subject area, including existing services, in a state that is satisfactory to the Port.

ENGINEERING & PLANNING

- 7. The proponent must supply GPC with "As Constructed" plans in both hard copy (2 of) and electronic (CAD format) which illustrates all infrastructure and services installed on Port land which is associated with the activity (e.g. detailed positions of underground services).
- 8. Certification of all building and plumbing work is required. The approval holder must provide GPC with RPEQ certification of building foundations.
- 9. The proponent is required to apply for and obtain from GPC a Permit to Dig/Excavate prior to commencing any excavation or digging on site.

Street Identification

10. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building/business name.

Roads and Access

- 11. Until Buss Street is upgraded and registered as a B-Double Route, all commercial traffic associated with the site must enter and exit the port via Newman Road and Wharf Drive.
- 12. The driveway must comply with the standards specified in the Bundaberg Regional Council planning scheme policy for development works driveways and access to developments for commercial driveways. The driveway must be of sufficient width to ensure that B-Doubles leave the site without crossing the centreline of Buss Street.

- 13. Prior to 5 February 2019 the proponent must provide a sealed pavement for the driveway and front carpark.
- 14. Any driveway works that extend beyond the lease area into the road reserve are subject to an operational works approval from the Bundaberg Regional Council.
- 15. The proponent is to notify GPC of damage/wear and tear caused to any port roads and associated infrastructure during the construction and operational phases e.g. damage to signage and pavement as a result of this activity. GPC will undertake necessary repairs at the expense of the proponent.
- 16. All activities associated with development must be carried out in accordance with the approved Traffic Management Plan.
- 17. All vehicles are to be stored on site. Trucks are not to que off site. Any marshalling of trucks required off of the wharf during ship unloading must be approved in writing by GPC.

Water and Sewer

- 18. Connection to Bundaberg Regional Council's water and sewer infrastructure is subject to further approvals. For further information about these requirements, contact Bundaberg Regional Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.
- 19. Bundaberg Regional Council permits only one water service for each property. This means only one connection to the water main although there may be a potable and fire service feeding from that connection.

Stormwater

- 18. A stormwater drainage system connecting to a lawful point of discharge must be installed as indicted in the approved site plan. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and GPC.
- 19. The design of the site drainage system, fill, car parking and access must be undertaken so that flows from adjacent properties will not be impeded by the development.
- 20. All construction and operational activities must be managed in accordance with the approved Stormwater Management Plan and any stormwater management strategies in the approved Environmental Management Plan.

Stockpiles

- 21. The stockpile area must be managed so that air quality objectives set out in the Environment Protection (Air) Policy for dust or airborne contaminants are achieved.
- 22. The stockpile area is to be bunded to prevent contaminants being released into the environment or beyond the site boundary. Details of containment of stockpiles shall be included in the "As constructed" drawings referred to in condition 7.

Lighting

- 20. Any site lighting used during construction should not impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting will be continually reviewed during construction and operations with respect to navigation and will be revised as required in response to negative impacts as they arise.
- 21. All site lighting is not to adversely impact on turtle nesting on surrounding beaches.

Landscaping

22. Landscaping must be completed as per the approved site plan with 2m high plants located along the length of the Buss St property frontage and adjacent to the front carpark. Plant species to be selected from GPC plant species list for Port of Bundaberg.

ENVIRONMENT

Environmental Management Plan

- 23. Prior to construction works commencing on site, an Environmental Management Plan (EMP) specific to the works is to be submitted to GPC for approval. The activity must be undertaken in accordance with the approved EMP that ensures:
 - (a) environmental risks are identified, managed and continually assessed in relation to the activity (this includes construction, operations, and rehabilitation as applicable); and
 - (b) that staff are trained and aware of their obligations under the EMP; and
 - (c) that reviews of environmental performance are undertaken at least annually; and
 - (d) any amendments to the EMP are submitted to GPC for review and approval.
- 24. Where there is any conflict between the conditions of this approval and the EMP, the conditions of this approval shall prevail.

Noise

25. Activities on site are not to generate noise in such a manner as is likely to have an impact or cause nuisance to neighbouring activities or sensitive receptors.

Dust or Odour

26. Activities on site are not to generate dust or odour in such a manner as is likely to have an impact or cause nuisance to neighbouring activities or sensitive receptors. In the event a nuisance is caused, suppression measures are to be implemented in a timely manner.

Stormwater

27. Activities on site are not to generate sediment, hydrocarbon or other contamination in surface runoff and stormwater being discharged to Buss Street drainage.

Waste

- 28. All liquid and solid waste must be appropriately stored on site in such a manner as to prevent contamination of port land. All regulated waste must be appropriately disposed of off site in a timely manner at an approved facility. The 1000L holding tank to contain liquid waste pumped from the drive-over is to be appropriately stored and bunded.
- 29. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the storage site, on port roads or on the wharf must be cleaned immediately. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such materials to any stormwater drainage system, roadside gutters or waters.
- 30. No loose materials or mud are to be tracked onto Buss Street. Any material tracked onto Buss Street is to be cleaned in a timely manner.

Fuel, Oil and Chemical Storage

31. All fuel, oil and chemicals must be stored and used appropriately, in a manner that prevents contamination of port land.

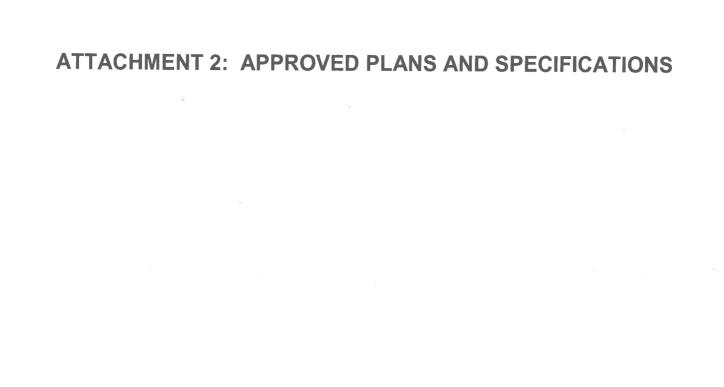
Contamination

- 32. Construction, operations and associated works are not to be conducted in such a manner that would environmentally degrade Gladstone Ports Corporation land or infrastructure. This includes but is not limited to:
 - contamination of the land:
 - encouragement of pest and weed incursion;
 - loss of land through poor sediment and erosion controls; and
 - localised flooding from poor stormwater management practices/controls.

Any such degradation in or caused by the works or operations must be rectified in a timely manner to the satisfaction of GPC and measures implemented to prevent further degradation.

Incident Notification

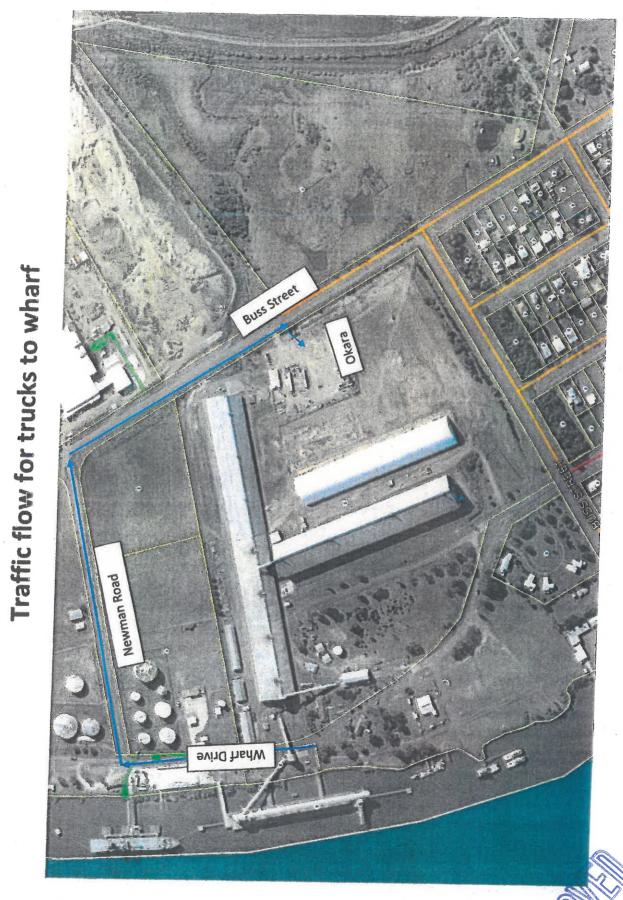
- 33. Gladstone Ports Corporation Environment Hotline (07) 4976 1617) is to be notified of the occurrence of any;
 - Release/spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 250L to land;
 - Release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
 - Any environmental complaints received by the holder of this approval; and
 - Non-compliance with conditions of this approval or any other environmental approval obtained in relation to the approved activity.



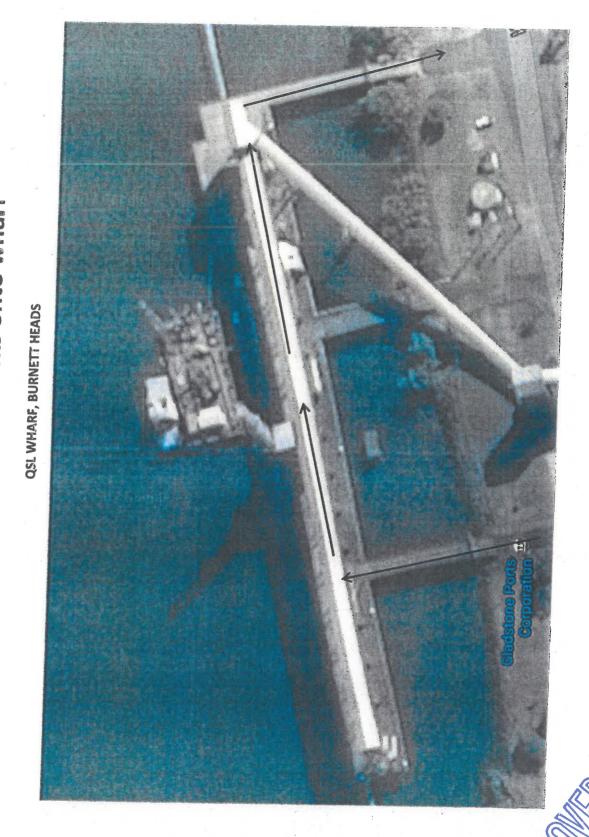
DRAFT ENVIRONMENT MANAGEMENT PLAN 2018



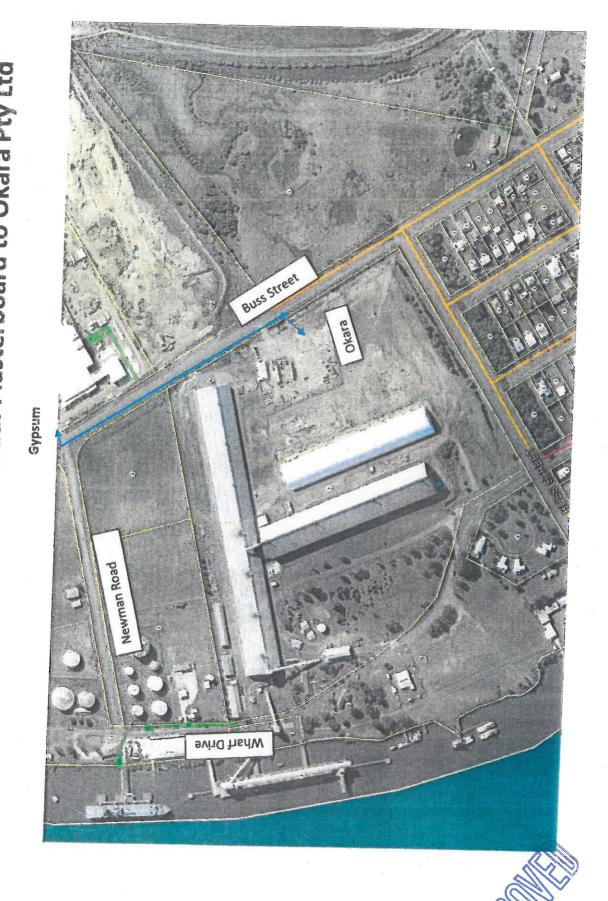




Traffic flow for trucks onto wharf



Traffic flow for trucks from Knauf Plasterboard to Okara Pty Ltd



Stormwater Management Plan

for

Vehicle & Machinery Storage Yard

at

46 Wharf Drive, Burnett Heads

Prepared for Okara Pty Ltd

Project Ref: CC-3912

August 2017

Revision B

EMPREERING



3/9 GATEWAY CRESCENT, ORANGE PO BOX 1935, ORANGE NSW 2800 P 02 6360 2561 F 02 6360 2907 E OFFICE@COOKANDROE.COM.AU CROE PTY LTD T/A COOK AND ROE ABN 92 154 518 699 ACN 154 518 699

WWW.COOKANDROE.COM.AU

Our Ref: 30203-1824CIM.DOCX

27 September 2016

Allshelter Pty Ltd Lot 2 Narrandera Street Lake Cargelligo NSW 2672

CASA 1812CIM – CURVED ROOF SHELTER STRUCTURAL DESIGN CERTIFICATE

We certify that we have checked the structural design of the CASA 1812CIM Curved Roof Shelter as shown on the following drawings by Allshelter:

Drawing Title	No of Sheets Provided	Description	Date
CASA 1812CIM	25	Shelter Assembly and Components	27/9/2016

We have carried out a structural analysis in accordance with the following SAI Codes of Practice:

AS/NZS 1170.0

Structural design actions - General principles

AS/NZS 1170.1

Structural design actions – Permanent, imposed & other actions

AS/NZS 1170.2

Structural design actions - Wind actions

AS 4100

Steel structures

The structure shown is sufficient for the relevant design actions in accordance with the Australian Standards noted above, subject to the shelter being erected at a site of Terrain category 2, 3 or 4 in Wind Region C, in accordance with AS1170.2. Furthermore, all welds to the members shown in the drawings noted above shall be 6mm continuous fillet welds (SP category).

Note that any additional cladding to the walls must not be added without reference to the engineer. Roof fabric is not to be tied/fixed to the curved steel structure – it is only to be anchored at the ends.

This certification shall not be construed as relieving any other party of their responsibilities, liabilities or contractual obligations.

We trust that this information meets your requirements. Please do not hesitate to contact the undersigned should you require any further information.

Yours faithfully COOK AND ROE

Ross Murphy
Structural Engineer

FEDESIGN AND DRAWINGS SHOWN HERE ON ARE COPPRIGHT AND SHALL NOT BE COPIED, REPRODUCED, SCANNED, STORED IN ANY ELECTRONIC DATABASE, ANY SELECTE ON STANDARD THE WINDER ON SHELTER. SHE SHALL SHE SHALL SHE SHALL SHE SHALL SHE SHALL SHE SHOWN SHE SHORD SHE SHALL SHE SHOWN SHE SHORD SHE SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT IS SUPPLIED. LISHELTER WILL NOT FESTIVATE TO TAKE APPROPRAITE LEGAL ACTION IF THIS SHOHTS IN THIS RESPECT ARE INFRINGED.

GENERAL:

- DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS. ALL LEVELS AND SETTING OUT DIMENSIONS SHOWN ON THE
- DRAWINGS SHALL BE VERIFED ON SITE BEFORE CONSTRUCTION DURING CONSTRUCTION THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED. 8 8 Ą
 - DESIGN LOADS.

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SECTION 4 COMBINATION LOADS (AS/NZS 1170.0-2002)
WIND LOAD (AS/NZS 1170.2-2011)

) Voes = 41.0m/s REG. A., T.C.2 Voes = 51.9m/s REG. B', T.C.2 Voes = 63.1m/s REG. C', T.C.2 Voes = 80.1m/s REG. D', T.C.2

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REINFORCED CONCRETE:

FOUNDATIONS

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PEFERS TO WIND REGION SPECIFIED IN THE TITLE BLOCK SHELTER CODE BELOW. SNOW LOAD IN ALLOWED - REPENTO BUGINER FOR RE-DESIGN F IN SNOW AREA.

STRUCTURAL IMPORTANCE LEVEL - 2

- THESE DRAWINGS ARE NOT VALID IF THESE EFFECTS OCCUR ON SIGHT, CONTACT COOK AND ROE FOR A REVISED DESIGN IN THESE CIRCUMSTANCES. NOTE 1. ULTIMATE DESIGN WIND SPEED Voss INCLUDES A FACTOR FOR BUILDING HEIGHT, BUT NOT FOR LOCAL TOPOGRAPHIC EFFECTS SUCH AS HILLS & ESCARPMENTS.
- 2. STRUCTURAL ASSESSMENT & SUITABILITY OF CONTAMERS FOR RESISTING ARC FORCES BY OTHERS

STANDARD TERMS OF CONTRACT AS DIPLAYED ON WWW.ALLSHELTER.COMAU 3. THE SUPPLY AND USE OF THESE DRAWINGS IS SUBJECT TO THE ALL SHIE, TER

FABRICATION AND ERECTION TO BE IN ACCORDANCE WITH AS4100 SECTIONS 14 8 15 AND ASINZS1554 EXCEPT WHERE VARIED BY THE CONTRACT DOCUMENTS. STRUCTURAL STEEL SHALL COMPLY WITH ASINZS1163, ASINZS3678 AND STRUCTURAL STEEL WORK: S1. FABRICATION AND ERECTION TO BE

STRUCTURAL STEEL SHALL BE CONSTRUCTED FROM THE FOLLOWING GRADES: AS/NZS3679.1.

GRADE 300 plus RECTANGULAR HOLLOW SECTION ROLLED SECTIONS

GRADE 350/450 AS NOTED ON PLAN GRADE 250/350 AS NOTED ON PLAN GRADE 250 CIRCULAR HOLLOW SECTIONS

DEMONSTRATE COMPLANCE WITH THE ABOVE REQUIRENTS.

A CERTIFICATE BY THE STRUCTURAL STEEL, SUPPLIER SHALL BE PROVIDED TO

STRUCTURAL STEELWORK SHALL BE OF THE FOLLOWING GRADES U.N.O.

\$2.	STRUCTURAL STEELWORK SHALL BE OF THE FOLLOWING GRADES U.N.O	F THE FOLLOWING GRADES U.N.O
	SECTION	GRADE
	FLATS, PLATES, ROUNDS	AS/NZS3678 - 300
		AS/NZS3679.1 - 250
	COLD-FORMED SHS, RHS,	AS/NZS1163 - C345
	G-KS	- C350

- ALL DIMENSIONS GIVEN FOR MATERIALS ARE GROSS DIMENSIONS WITH NO REDUCTION FOR WILLD PREPARATION 83
- AS1111 & NUTS TO AS TO AS1112 (GRADE 4.6) TIGHTENED TO A SNUG FIT. BOLTS DESIGNATED 4.6/S SHALL BE COMMERCIAL GRADE BOLTS TO AS BOLTS DESIGNATED 8.8/S SHALL BE HIGH STRENGTH BOLTS TO AS/NZS1252 TIGHTENED TO A SNUG FIT. ջ

CF.2

ALL WASHERS FOR HIGH STRENGTH BOLTS SHALL BE HARDENED STEEL TO AS/NZS1252 EXCEPT FOR SNUG-TIGHT JOINTS WHERE BLACK STEEL WASHERS TO AS1237 MAY BE USED.

57.

- A FLAT WASHER IS TO BE FITTED UNDER THE ROTATING COMPONENT OF
- ALL BOLTS, NUTS AND WASHERS SHALL BE HOT DIPPED GALVANZED BY **EACH BOLT** S14. 88
- NECESSARY FOR FIXING STEEL TO STEEL, WHETHER OR NOT DETAILED IN THE CONTRACTOR SHALL PROVIDE ALL CLEATS AND DRILL ALL HOLES THEMANUFACTURER S15.
- WELDS SHALL BE 6mm CONTINUOUS FILLET, ELECTRODES E48XX, BOLTS M12 DIAMETER, GUSSET PLATES AND CLEATS 6mm THICK U.N.O. S17.

S. No. of the second se	Sokm 100km 150km 150km 150km	REGION O REGION B	REGION C27 REGION A	100km		Regions are marked with the letters A, B, C and D. Coastal Region boundaries are smooth lines set in from a smoothed coastline by 50, 100 and 150km. Islantex within 50km of the coastlar the same REGION A Region as the ad
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-- REGION B

-100km

AS/NZS 1170.2:2011

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BLBWBNT	E E
FOOTINGS	50
SLAB ON GROUND	40

ALL CONCRETE SHALL BE COMPACTED WITH MECHANICAL VIBRATORS. VIBRATORS SHALL NOT BE USED TO SPREAD CONCRETE.

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SPLICE IN REINFORCEMENT SHALL NOT BE MADE WITHOUT THE APPROVAL OF COOK & ROE. WELDING OF REINFORCEMENT IS NOT PERMITTED.

COMPACTED FILLING

EXPERIENCED IN 7HE USE OF ALL FORMS OF CONSTRUCTION TO BE USED

IN THIS PROJECT.

THESE DRAWINGS ARE DESIGNED FOR USE BY A QUALIFIED BUILDER

NOTE

HAVE NOT BEEN CHECKED AS PERT OF THE STRUCTURAL DESIGN OF THE SHELTER. IT IS THE RESPONSIBILITY OF THE CLIENT TO ENSURE THAT ALL

CONTAINERS WILL BE IN GOOD CONDITION AND ARE SUITABLE TO

THE SHIPPING CONTAINERS USED TO SUPPORT THE ROOF STRUCTURE

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- STRENGTH MATERIAL IS TO BE EXCAVATED TO OBTAIN A UNIFORM STRENGTH BASE PRIOR TO BEFORE PLACING ANY FILI, ALL ORGANIC MATERAL & TOP SOL ARE TO BERBADVED & THE AREA PROOF ROLLED TO IDENTIFY ANY LOW STRENGTH AREAS. IF NECESSARY, LOW PLACEMENT OF FILL MATERIAL F.F
- GEOTECHNICAL BUGINEER SHALL BE PLACED IN 150mm LAYERS & COMPACTED TO A DENSITY FURTHERMORE, THE SUBGRADE SHOULD BE COMPACTED TO ACHEVE TO MEET THE SAME COMPACTION REQUIREMENTS NOTED ABOVE PROOR TO PLACEMENT OF FILL. RATIO NOT LESS THAN 98% STANDARD DENSITY IN ACCORDANCE WITH AS.3798-2007 GUIDELINES ON EARTHWORKS FOR COMMERCIAL & RESIDENTIAL DEVELOPMENTS." WHERE FILL IS REQUIRED, A SUITABLE FILL MATERIAL CERTIFED BY A QUALIFIED

FRAME. COOK & ROE CANNOT GUARANTEE THE DESIGN SUITABILITY IF REMAINS TIGHT. FLOGGING OF THE FABRIC WILL OVERLOAD THE STEEL

FLOGGING OCCURS.

IT IS THE OWNERS RESPONSIBILITY TO ENSURE THAT THE FABRIC WITHSTAND THE ARCH FORCES FROM THE ROOF STRUCTURE.

3

SHELTER ASSEMBLY

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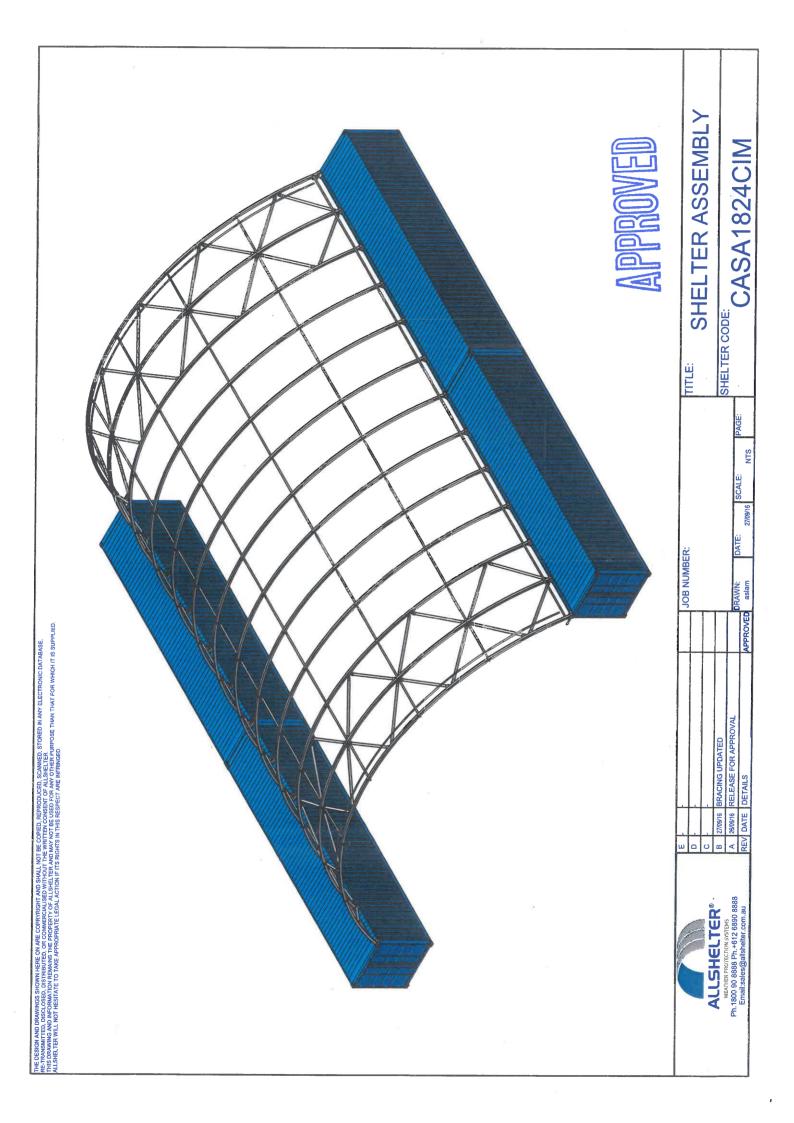
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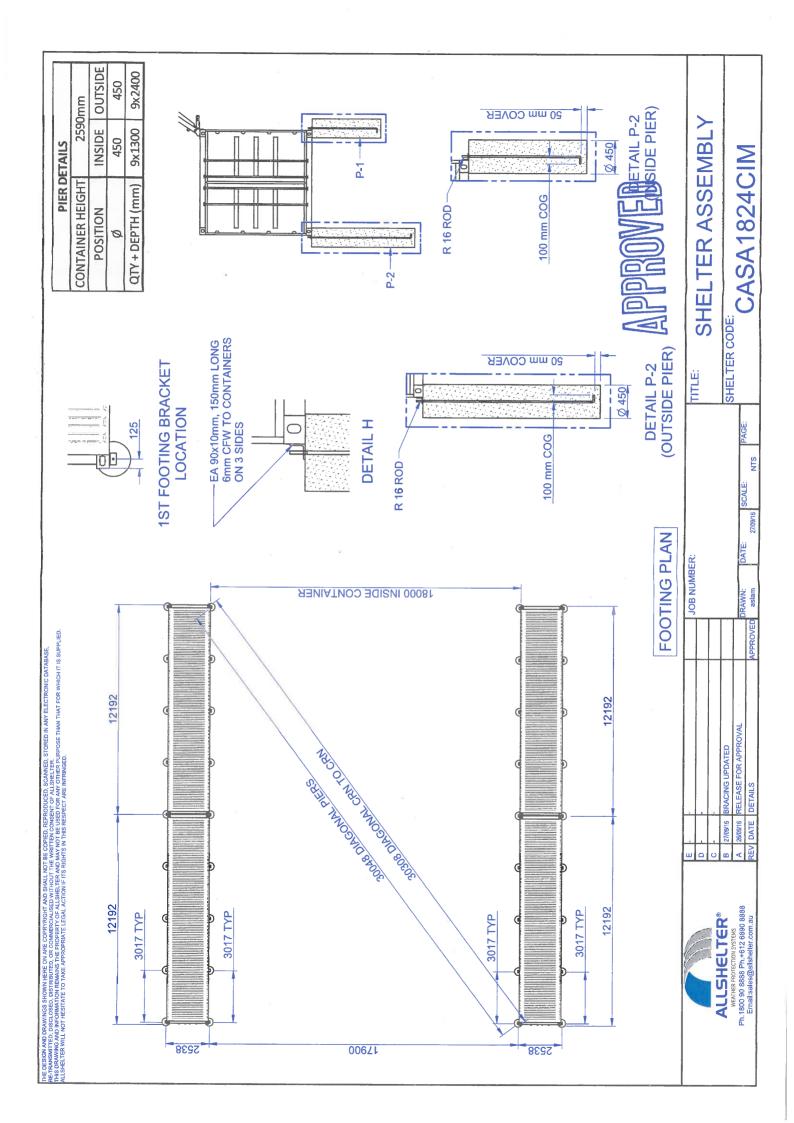
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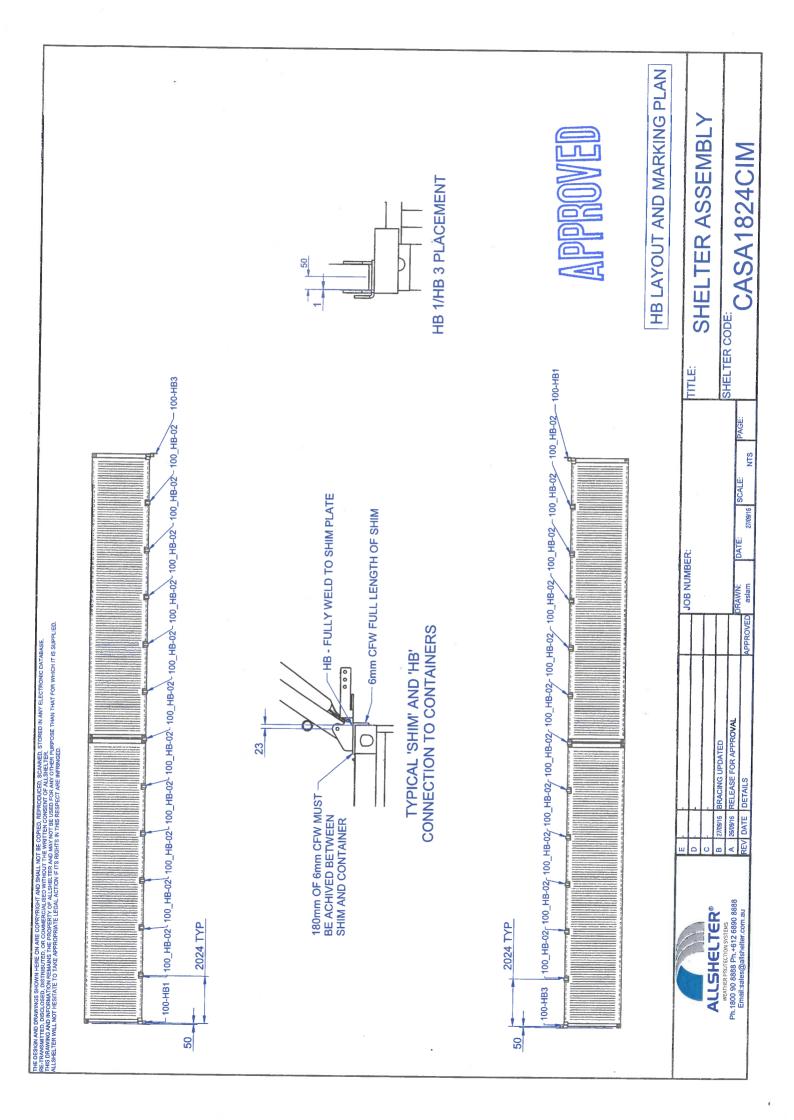
NTS

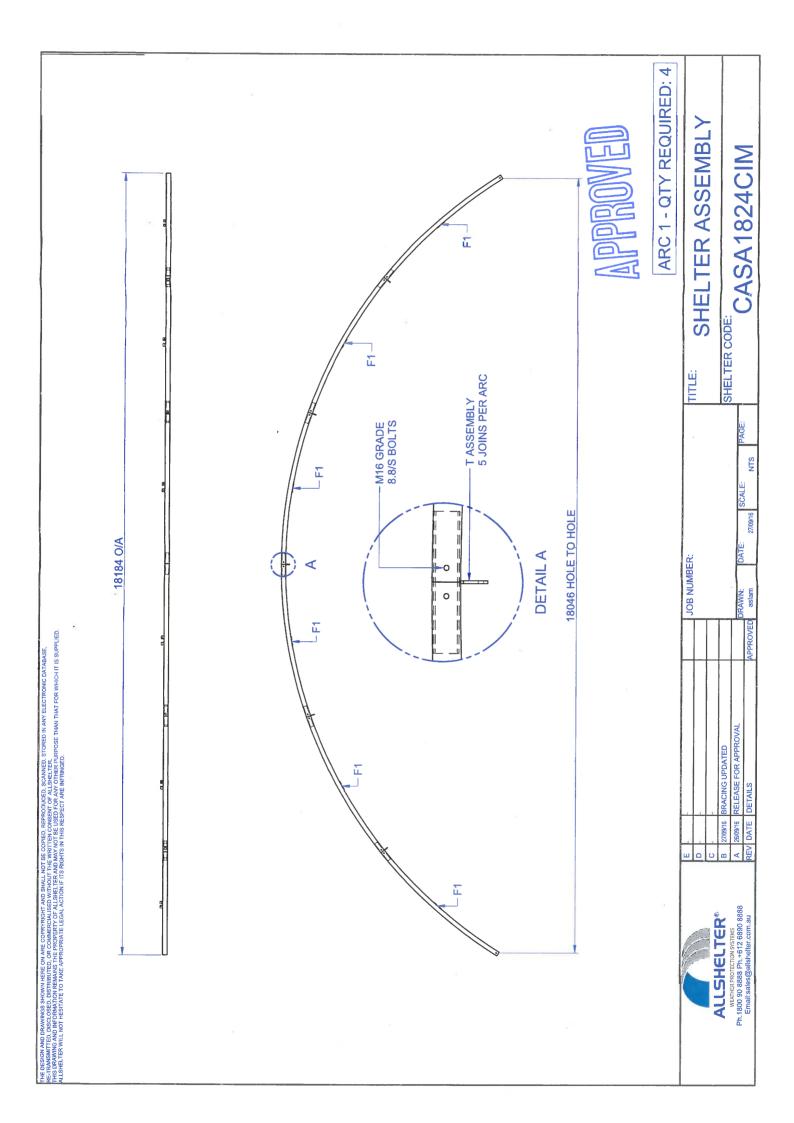
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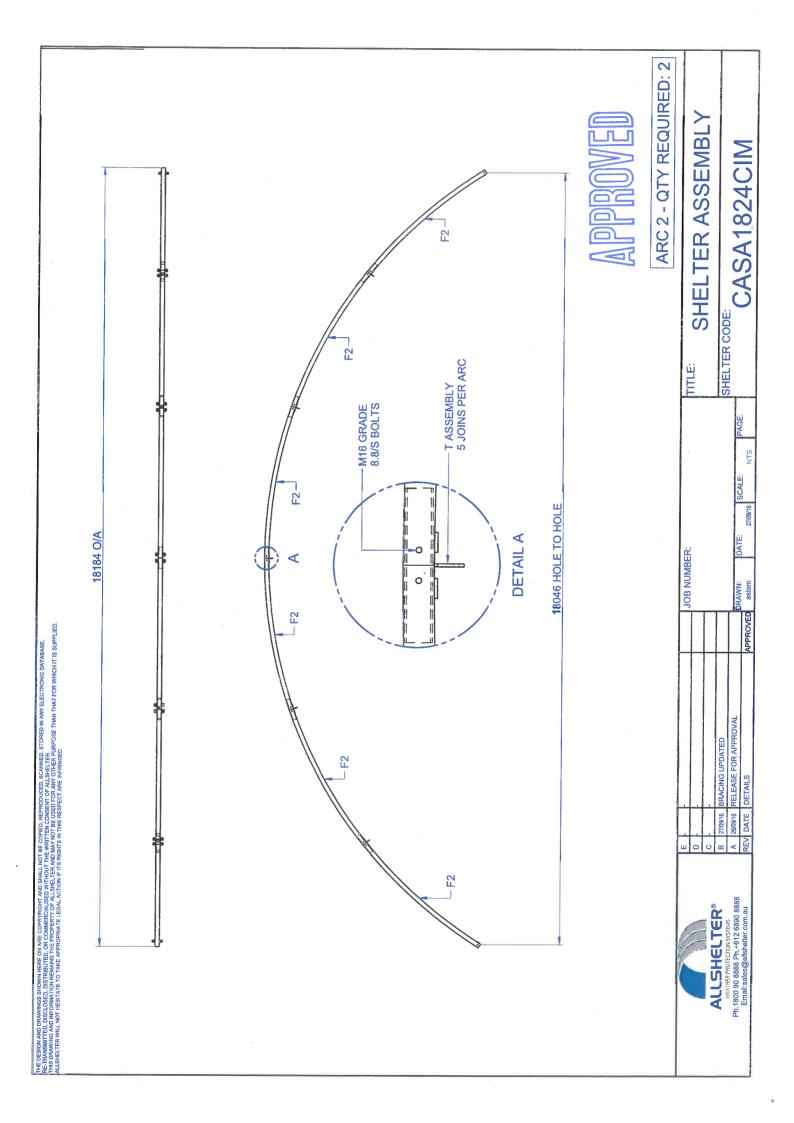
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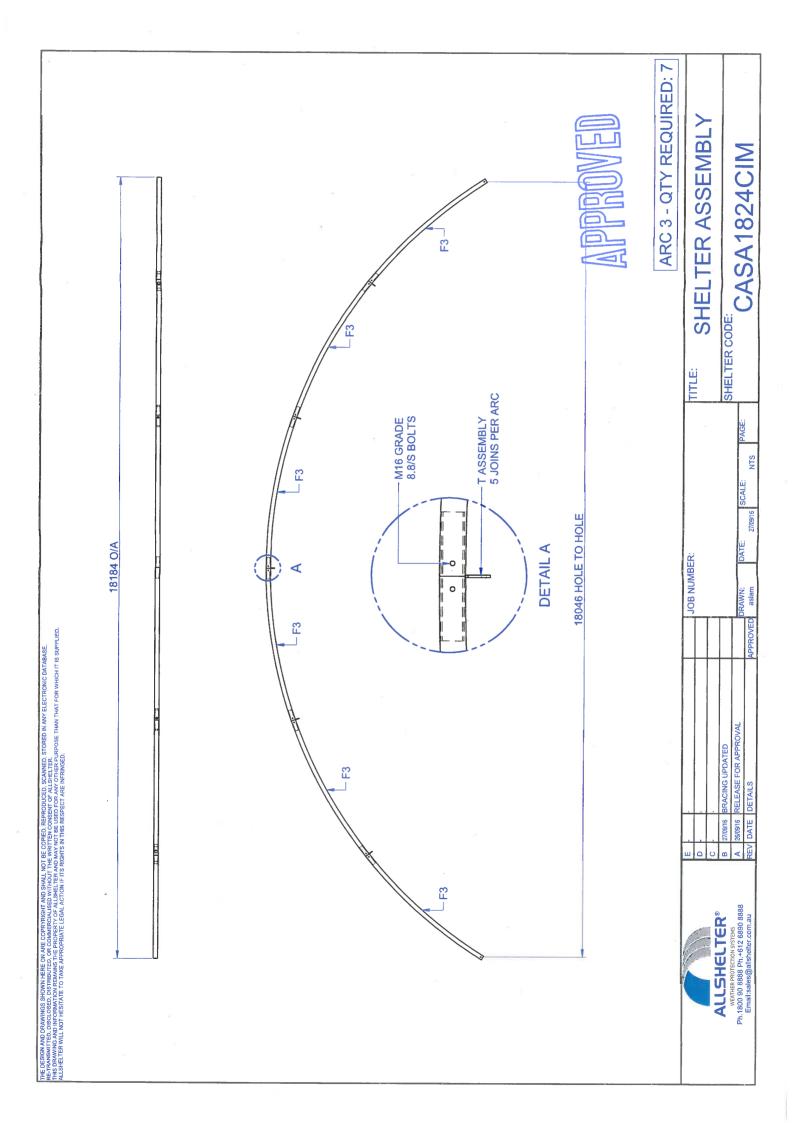


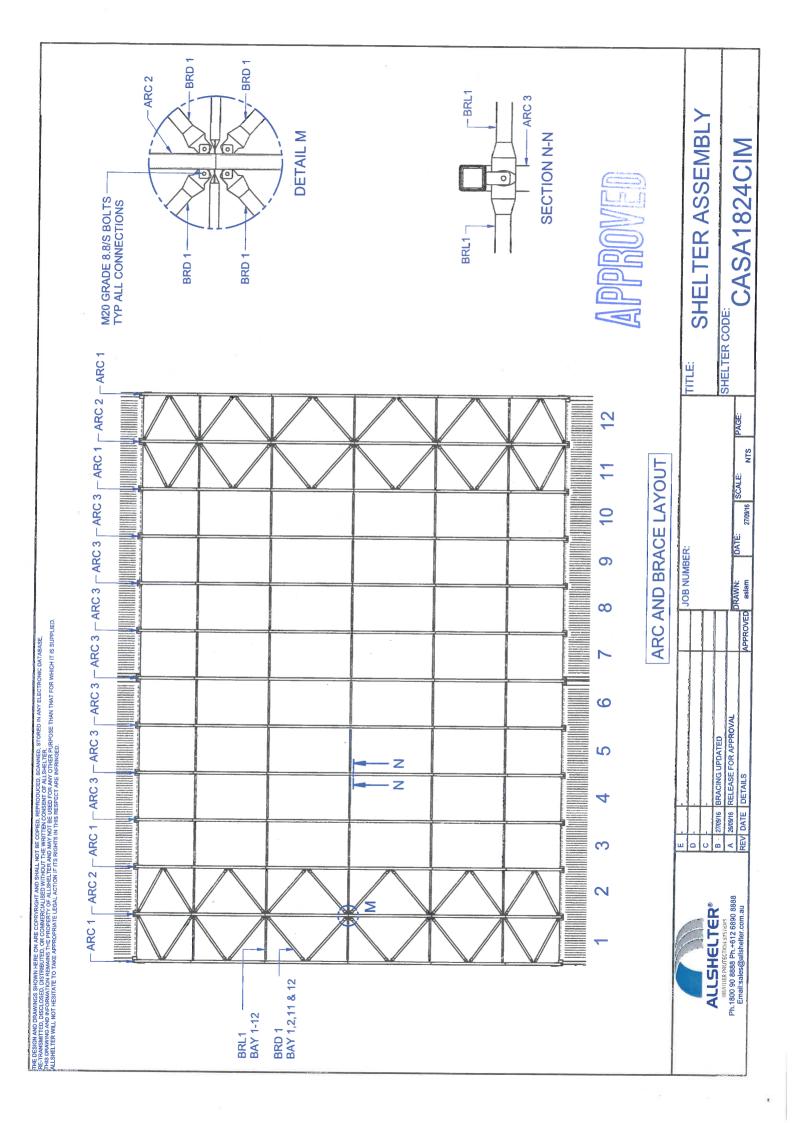


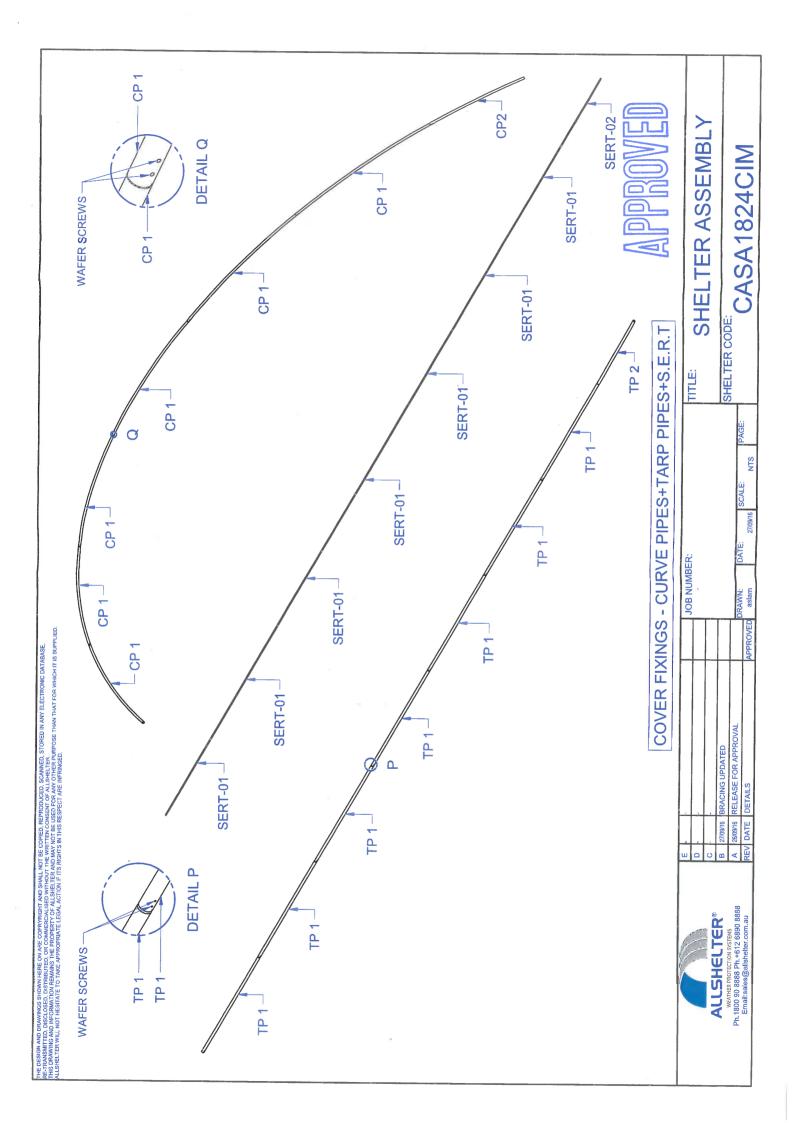


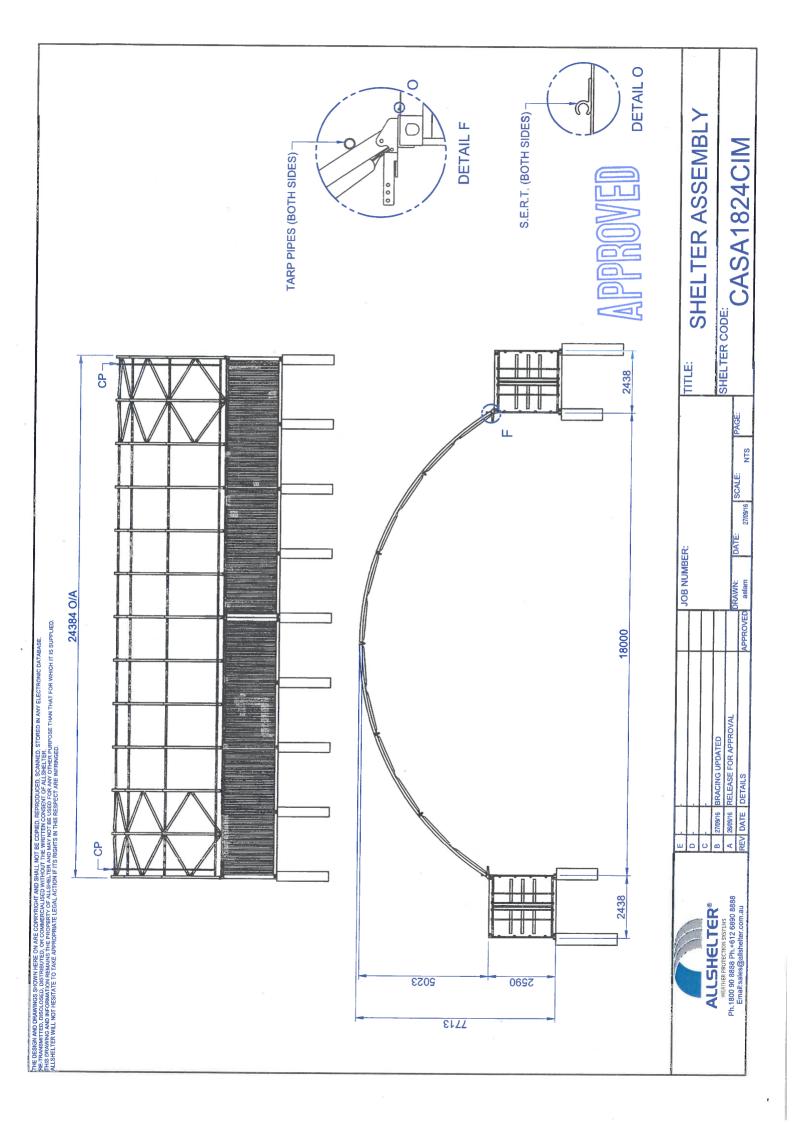


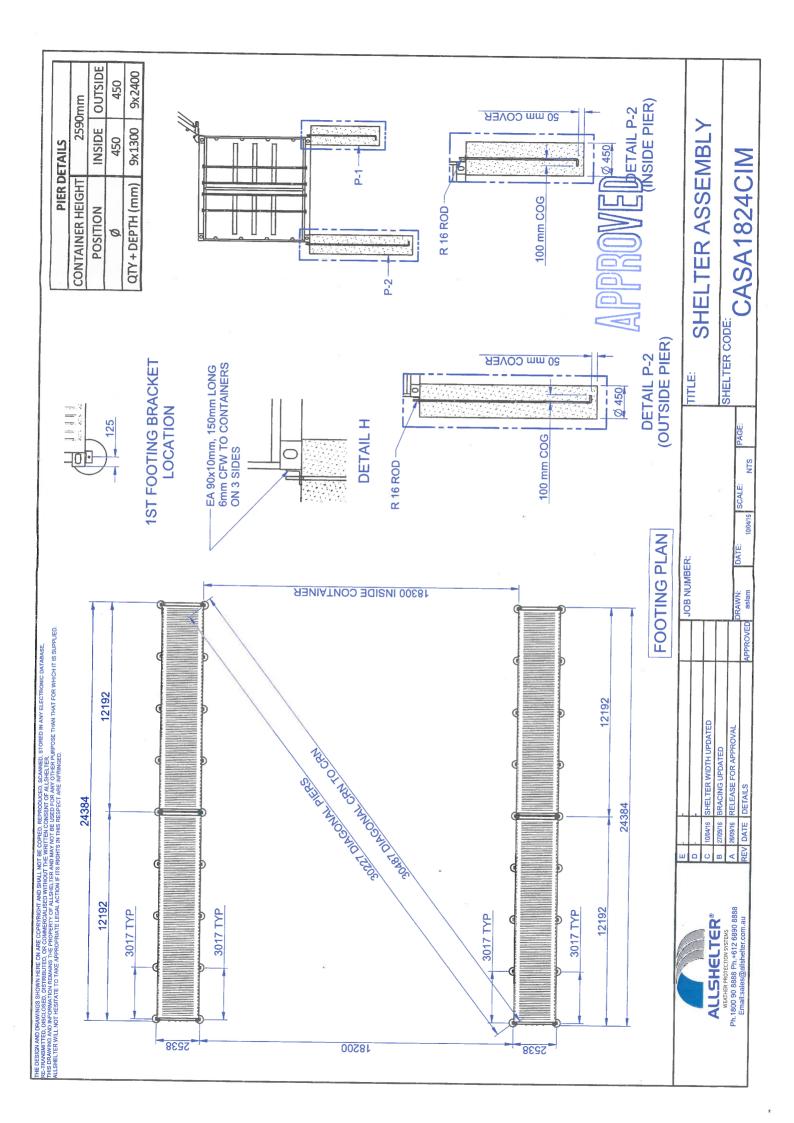




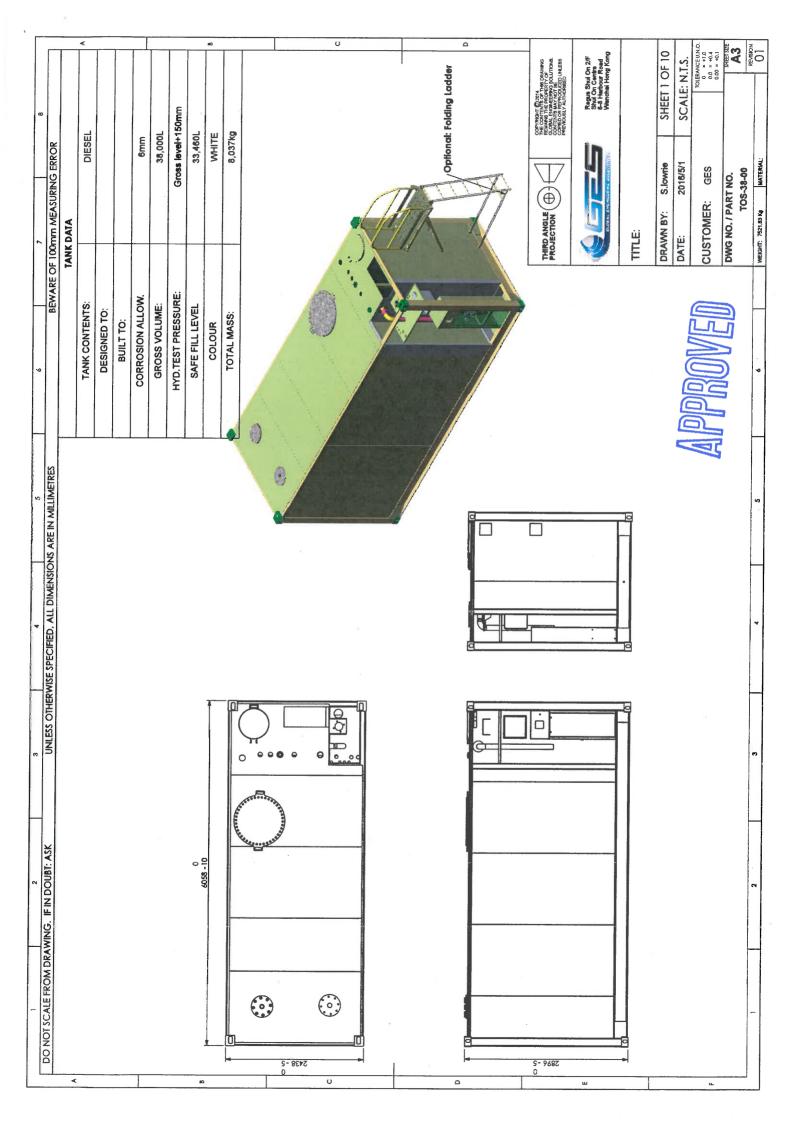


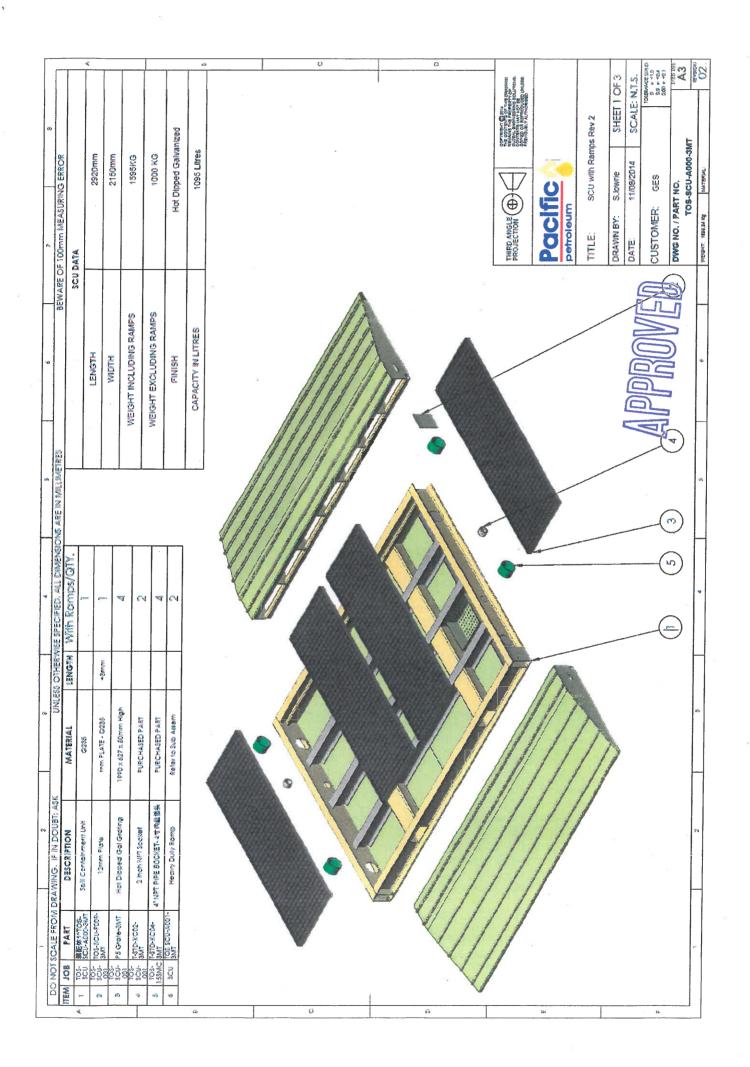


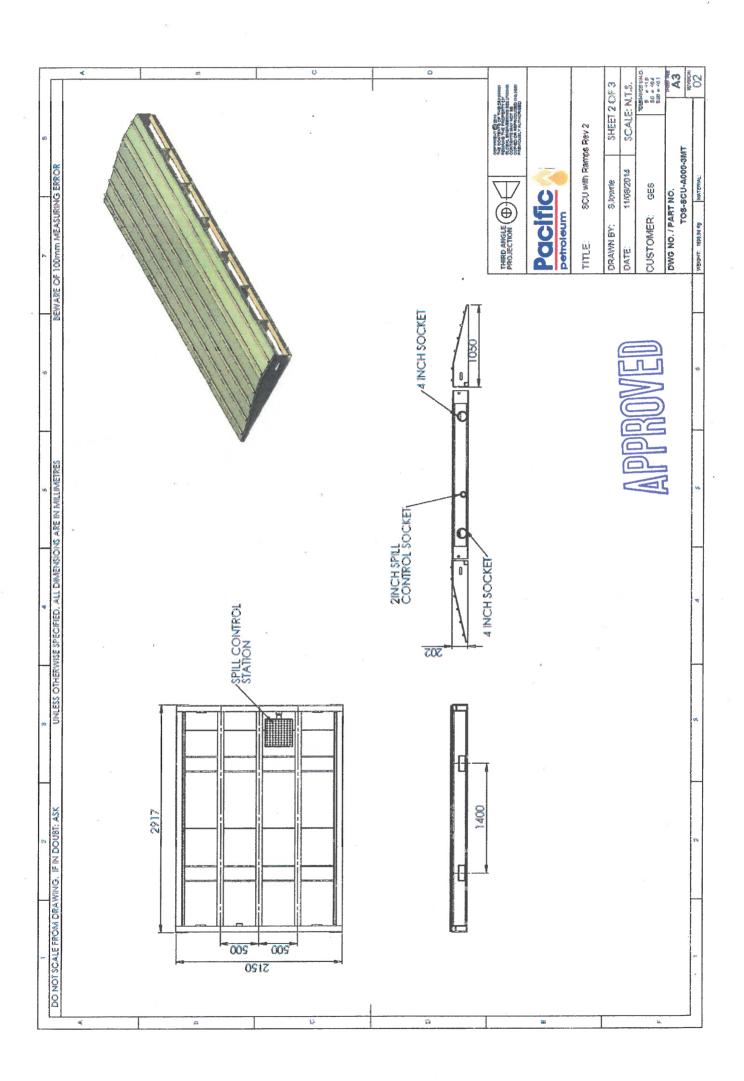












MOFFATT STREET (BUSS STREET)

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ATTACHMENT 3: EXTRACT OF APPEAL PROVISIONS

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—

conduct means an act or omission.

representative means—

- (a) of a corporation—an executive officer, employee or agent of the corporation; or
- (b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's-

- (a) knowledge, intention, opinion, belief or purpose; and
- (b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;
- (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note-

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and

- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The service period is—

- if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started;
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section
 - decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - (i) to negotiate and mediate outcomes between parties to a proceeding; and
 - (ii) to apply the principles of natural justice; and
 - (iii) to analyse complex technical issues; and
 - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.
- (2) The appointer may—
 - (a) appoint a referee for the term, of not more than 3 years, stated in the appointment notice; and
 - (b) reappoint a referee, by notice, for further terms of not more than 3 years.
- (3) If an appointer appoints a public service officer as a referee, the officer holds the appointment concurrently with any other appointment that the officer holds in the public service.
- (4) A referee must not sit on a tribunal unless the referee has given a declaration, in the approved form and signed by the referee, to the chief executive.
- (5) The appointer may cancel a referee's appointment at any time by giving a notice, signed by the appointer, to the referee.