

27 September 2021

David Stolz  
Assistant Coordinator-General  
State Development Areas  
PO Box 15517  
CITY EAST QLD 4002

Email: [Felicity.McCann@coordinatorgeneral.qld.gov.au](mailto:Felicity.McCann@coordinatorgeneral.qld.gov.au)

Dear Mr Stolz

**REFERRAL ENTITY SUBMISSION – WITH ADVICE - SDA APPLICATION AP2020/05**  
(GIVEN UNDER SCHEDULE 2, S2, BUNDABERG STATE DEVELOPMENT AREA DEVELOPMENT SCHEME 2017)

## 1 Application Details

The development application was referred to the Gladstone Ports Corporation Limited under Schedule 2, Section 2 on **3 September 2020**.

<b>Application Number:</b>	AP2020/05 (GPC Ref: DA2021/29/01)
<b>Applicant Name:</b>	Ergon Energy Corporation Limited
<b>Applicant Contact Details:</b>	Benjamin Freese Ergon Energy 26 Reddacliff Street NESTEAD QLD 4006 Email: <a href="mailto:benjamin.freese@energyq.com.au">benjamin.freese@energyq.com.au</a>
<b>Application Contact Details:</b>	David Stolz Planning and Services Office of the Coordinator-General 1 William Street CITY EAST QLD 4002
<b>Approval Sought (BuSDA development scheme)</b>	1. Material change of use for substation within the Bundaberg State Development Area
<b>Details of Proposed Development:</b>	Stage 1: Skid substation Stage 2: Substation
<b>Location Street Address:</b>	Hoffman's Road BURNETT HEADS QLD 4670
<b>Location Real Property Description:</b>	Lease C in Lot 5 on SP274161 on SP317111
<b>Land Owner:</b>	Gladstone Ports Corporation Limited
<b>BuSDA Precincts:</b>	Infrastructure Corridors and Support Industry Precinct

## 2 Description Of Proposed Development

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Material change of use for Substation.

## 3 Referral Triggers

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This development application was referred to the Gladstone Ports Corporation Limited under the following provisions of the *Bundaberg State Development Area Development Scheme 2017*:

Referral trigger: Schedule 2, section 2 – Request for referral entity to assess the application and provide a referral entity submission.

## 4 Details Of Referral Entity Submission

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The Gladstone Ports Corporation Limited advises the Coordinator-General, under schedule 2, section 2 of the *Bundaberg State Development Area Development Scheme 2017* to give any development approval subject to development conditions stated in Attachment 1.

The Gladstone Ports Corporation Limited advises the Coordinator-General, under schedule 2, section 2 of the *Bundaberg State Development Area Development Scheme 2017* that the subsequent port approvals stated in Attachment 2 may be required for the development to proceed.

For further information please contact Judy Horsfall, Planning Advisor on 07 4976 1314 or the undersigned, on 07 4976 1287 or via email [planning@gpcl.com.au](mailto:planning@gpcl.com.au).

Yours sincerely

**Erin Clark**  
**Principal Planner**

Enc. Attachment 1: Referral Entity Conditions  
Attachment 2: Subsequent Approvals

## Attachment 1: Referral Entity Conditions

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### Condition 1

Detailed engineering drawings for stormwater infrastructure are unavailable at this time, including for the open drain along the site frontage and proposed culverts or pipelines under the two site access points. Therefore, GPC would recommend the following condition for detailed drawings be made available for review and approval prior to works commencing:

1. “At least 10 business days prior to the commencement of works relating to the use, provide the Gladstone Ports Corporation for review and approval, ‘for construction’ detailed engineering design drawings for stormwater infrastructure. The drawings must be submitted to the Planning Team via [planning@gpcl.com.au](mailto:planning@gpcl.com.au), including reference to DA2021/29/01”

### Condition 2

The application proposes to utilise an existing drainage channel within the lease area on strategic port land as stormwater infrastructure for receiving development stormwater and upstream stormwater, rather than construct a stormwater drain in the road reserve in consultation with the Bundaberg Regional Council. Further, the application does not address how potential changes to stormwater flows may impact downstream wetlands. Therefore, GPC would recommend the following condition for stormwater infrastructure along the street frontage:

2. “Stormwater infrastructure along the street frontage must be designed and constructed, including driveway drainage structures, to have no adverse impacts on flows and stormwater capacity and existing and future (indicated) upstream and downstream uses.”

### Conditions 3 and 4

The proposed development generally complies with the precinct intents and Port Development Code and Earthworks Code e.g. setbacks, landscaping, security fencing, access and manoeuvring etc. Therefore, GPC would recommend standard conditions applicable to development on strategic port land be included in the approval to ensure consistency. These may include:

3. “Prior to the commencement of the use, the proponent must supply Gladstone Ports Corporation with RPEQ certified “As Constructed” plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity. The drawings must be submitted to the Planning Team via [planning@gpcl.com.au](mailto:planning@gpcl.com.au), including reference to DA2021/29/01”
4. “Any site lighting used during construction or operations should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and operations with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify the adverse impact to navigation.”

## Attachment 2: Subsequent Approvals

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### Operational Works within the Development Site

The development application was lodged to the Coordinator-General on 14 May 2021, while the Port of Bundaberg LUP 2020 was gazetted on 21 May 2021. The Planning report appropriately takes into consideration the intent for precincts in both LUP's. Given the new LUP has now commenced, GPC recommends the Coordinator-General provide the applicant with updated advice regarding Operational works requirements for works not approved under this MCU application i.e. proposed Operational works on site associated with the MCU may be categorised as either Accepted, subject to requirements or Code assessable development under the *Planning Act 2016* and Port of Bundaberg Land use plan 2020.

### Operational Works outside the Development Site

The Coordinator-General sought further information regarding how 66kV feeders will connect to existing transmission network and any additional approvals that may be required. The applicant advised via their informational request response that:

1. They were liaising with BRC regarding the final route and appropriate work permits to facilitate construction of this supply network;
2. That the supply network was excluded from the definition of "major electricity infrastructure" and therefore was not regulated by the BuSDA development scheme; and
3. That the supply network not located within the BuSDA could not be made assessable by a local categorising instrument as set out in Schedule 6, Part 5, Section 26(5) of the Planning Regulation 2017.

Given that Ergon are seeking to install supply network infrastructure on strategic port land on the eastern boundary of Lot 5 on SP274161 having frontage to Rubyanna Road, Burnett Heads, GPC recommends the Coordinator-General provide advice to the applicant that Schedule 6 of the *Planning Regulation 2017* does not apply to port authority land use plans because such plans are not local categorising instruments. Therefore, Schedule 10, Part 13, Division 5, Subdivision 1, Section 20 of the Planning Regulation 2017 still applies and the proposed development may be categorised as either 'Accepted, subject to requirements' or 'Code assessable' development under the *Planning Act 2016* and the Port of Bundaberg Land use plan 2020.