

9 March 2022

Wide Bay Shipping Services obo Gladstone Ports Corporation  
c/- James Lawley  
PO Box 5245  
VICTORIA POINT QLD 4165

Dear Mr Lawley

**REFERRAL AGENCY RESPONSE – WITH ADVICE - RR2022/004/01**  
**(GPC REF: DA2022/02/01)**  
(GIVEN UNDER S56 PLANNING ACT 2016)

## 1 Application Details

The development application was referred to the Gladstone Ports Corporation Limited under section 54 of the *Planning Act 2016* on **28 January 2022**.

<b>Application Number:</b>	RR2022/004/01
<b>Applicant Name:</b>	Wide Bay Shipping Services on behalf of Gladstone Ports Corporation
<b>Applicant Contact Details:</b>	James Lawley Wide Bay Shipping Service PO Box 5245 VICTORIA POINT QLD 4165 Email: <a href="mailto:jiml@pacifictug.com">jiml@pacifictug.com</a>
<b>Approval Sought:</b>	1. Prescribed assessable development within limits of a port
<b>Details of Proposed Development:</b>	Material change of use for Port services – Pilotage and Port Infrastructure for Marine facility (tug facility) and Operational works that is tidal work
<b>Location Street Address:</b>	45 Wharf Drive <i>known as 31 Wharf Drive</i> BURNETT HEADS QLD 4670
<b>Location Real Property Description:</b>	Part of Lot 276 on SP128643
<b>Land Owner:</b>	Department of Resources
<b>Present Zoning &amp; Precinct:</b>	Within Limits of a Port - Port of Bundaberg

## 2 Description Of Proposed Development

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The development is described as:

1. Prescribed assessable development within the limits of a port i.e. the Port of Bundaberg.

The prescribed assessable development includes:

- a. Material change of use for Port services – Pilotage and support services and Port Infrastructure for Marine facility (tug facility);
- b. Operational work that is tidal work, where not excluded tidal work, for partial demolition and jetty upgrade and extension; and
- c. Operational work that is tidal work or work in a coastal management district.

## 3 Referral Triggers

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This development application was referred to the Gladstone Ports Corporation Limited under the following provision of the *Planning Regulation 2017*:

Referral trigger: Schedule 10, Part 13, Division 3, Table 1 – Prescribed assessable development within limits of a port.

## 4 Details Of Referral Response

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Referral agency powers: Referral agency powers are not limited in this response.

This development application has been assessed against port authority functions under the *Transport Infrastructure Act 1994*, chapter 8, part 3 as required in Schedule 10, Part 13, Division 3, Table 1, Item 4 of the *Planning Regulation 2017* and also matters referred to in section 22.

The Gladstone Ports Corporation Limited directs the assessment manager, under section 56(1)(b)(i) of the *Planning Act 2016* to give any development approval subject to development conditions stated in Attachment 1.

For further information please contact Judy Horsfall, Planning Officer 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**

Cc: Assessment Manager – Gladstone Ports Corporation Limited

## Attachment 1: Referral Agency Conditions

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### General

1. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of the development.
2. Where additional “approval” is required under these conditions by the Referral Agency (Gladstone Ports Corporation Limited) for drawings or documentation the proponent must submit for review, amend to the satisfaction of, and obtain written approval from the Referral Agency.

Furthermore, the Referral Agency will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the works. Should further information be required for assessment, the Referral Agency will require a further 5 business days to complete the information request assessment and response.

3. The development must be a designed and constructed to mitigate potential adverse impacts to port functions, services and facilities, and to maintain safe navigable access within Port Limits.

### Engineering

4. Upon completion of the works, the proponent must supply the Referral Agency with RPEQ certified “As Constructed” plans in electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port Limits associated with the activity unless otherwise approved in writing by the Referral Agency.
5. The proponent must inform the Referral Agency of completion of works within Port Limits within 14 days of practical completion and certify that the site is fit for purpose.
6. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels within Port Limits nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Referral Agency.
7. Any material which is deposited or any debris which falls or is deposited within Port Limits during the construction of the approved development shall be removed by the applicant at their cost and expense. The applicant is to notify the Referral Agency if any material or debris is deposited.
8. Upon completion of construction, the applicant shall provide the Referral Agency with written confirmation that the seabed is clear of foreign materials.
9. If, as a result of the works, or other cause attributable to the proponent, any bank or tidal structure within Port Limits is displaced, the proponent at its cost and expense shall restore the bank or structure to its former condition and take such other action as is necessary to ensure the stability of the bank or structure to the satisfaction of the Regional Harbour Master.

### Construction Vessel Management (applicable where vessels are used)

10. Prior to works within Port Limits commencing, supply to the Referral Agency a Marine Execution Plan that has been approved by the Regional Harbour Master, where relevant.
11. Prior to works within Port Limits commencing, the proponent or their contractor must supply to the Referral Agency for review and approval an Emergency Management Plan for the works within Port Limits for all potential incidents e.g. contaminant spill, riverine flood, adverse weather etc.

12. Prior to works within Port Limits commencing, the proponent or their contractor must supply to the Referral Agency for review and approval an Environmental Management Plan, or operational procedures, for the works within Port Limits.
13. Refuelling of vessels used in construction must be carried out by a licenced bunkers provider only on site, or off site at a licenced refuelling facility.
14. At all times, 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 of any amount to water within Port Limits).
15. Environmental incident notification must be included in any Management Plans for the works within Port Limits.

### **Referral Agency Advice Notes**

1. Where the Applicant is required to submit further documentation to the Referral Agency, this is to be directed to the Planning section at [planning@gpcl.com.au](mailto:planning@gpcl.com.au), including reference to the allocated referral response number.