

29 June 2022

Okara Pty Ltd
c/- InsiteSJC, Shane Booth
PO Box 1688
BUNDABERG QLD 4670

Dear Mr Booth

DECISION NOTICE – CHANGE APPLICATION FOR CHANGE – OTHER TO DEVELOPMENT APPROVAL – DA2017/09/03

(GIVEN UNDER THE PROVISIONS OF S83 PLANNING ACT 2016)

This changed decision notice replaces the decision notice dated 5 June 2018. Changes shown in ***italicised bold*** font.

1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **21 August 2021**.

Application Number:	DA2017/09/03
Applicant Name:	Okara Pty Ltd
Applicant Contact Details:	Shane Booth InsiteSJC PO Box 1688 BUNDABERG QLD 4670 Email: shane@insitesjc.com.au
Approval Sought (GPC - Land Use Plan):	1. Change Application (Change – Other) to a Development approval (DA2017/09) for Material change of use for Bulk storage infrastructure and activities, Loading/unloading infrastructure and activities and Warehouse infrastructure and activities
Approval Sought (SARA):	2. Material Change of Use for Environmentally Relevant Activity 50 (1a & 2)
Details of Proposed Development:	The proposed changes to the development approval are to facilitate the storage and loading and unloading of multiple bulk materials and bulk minerals (gypsum, silica sand, wood pellets) and break-bulk cargoes (rosin, terpene) at the existing storage site and loading and unloading on and adjacent to the Sir Thomas Hiley Wharf.
Location Street Address:	63 Buss Street BURNETT HEADS QLD 4670
Location Real Property Description:	Lease G in Lot 1 on SP308111 on SP324114 Lot 3 on SP133687 Lot 501 on SP279707 Lot 276 SP128643

Land Owner:	Gladstone Ports Corporation Limited Department of Resources
Land Use Plan Precincts:	Strategic Port Land – Port Industry Precinct and Wharves Precinct
Local Government Area:	Bundaberg

2. Details Of Proposed Development

The development is described as:

1. Change Application (Change – Other) to a Development approval (DA2017/09) for Material change of use for:
 - a. Bulk storage infrastructure and activities (igloo and ancillary office and carpark);
 - b. Loading/unloading infrastructure and activities (storage site and Sir Thomas Hiley Wharf ship loading sites) - weighbridge, hopper, mobile conveyor, mobile crane, truck and front end loader; and
 - c. Warehouse infrastructure and activities.

The proposed changes to the development approval are to facilitate the storage and loading and unloading of multiple bulk materials and bulk minerals (gypsum, silica sand, wood pellets) and break-bulk cargoes (rosin, terpine) at the existing storage site and loading and unloading on and adjacent to the Sir Thomas Hiley Wharf.

3. Details Of Decision

This development application was **decided on 5 February 2018**, a minor change was decided **5 June 2018 and this change (other) decided on 27 June 2022**.

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 Change application for Change – Other to development approval for:

- a) Material change of use for Bulk storage infrastructure and activities, Loading/unloading infrastructure and activities and Warehouse infrastructure and activities;
- b) Material change of use for Environmentally Relevant Activity 50 (1a & 2).

5. Conditions

This development approval is subject to the conditions in Attachment 1 - Part 1 and Part 2.

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. Any Building Work approvals required;
2. Any Plumbing and Drainage Work approvals required.

7. Properly made submissions

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

8. Referral Agencies for the Application

The referral agencies for this application are:

Referral Agency	Referral Agency Requirement
Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 Bundaberg Qld 4670 WBBSARA@dsgmip.qld.gov.au	<i>Planning Regulation 2017</i> - Schedule 10, Part 5, Division 4, Table 2 – Material change of use for environmentally relevant activity

9. 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: Material Change of Use				
<i>Supa Span Structure</i>	<i>Fabritechture</i>	<i>21.05.07</i>	<i>20114 – A04</i>	<i>-</i>
<i>South and East Elevations</i>	<i>Fabritechture</i>	<i>21.05.07</i>	<i>20114 – A03</i>	<i>-</i>
<i>Concept Site Plan</i>	<i>Empire Engineering</i>	<i>19.05.22</i>	<i>Project Ref: CC-5596 CON01</i>	<i>Rev. G</i>
<i>Concept Turnpath Plans</i>	<i>Empire Engineering</i>	<i>19.05.22</i>	<i>Project Ref: CC-5596 CON02</i>	<i>Rev. G</i>
<i>Concept Sections</i>	<i>Empire Engineering</i>	<i>19.05.22</i>	<i>Project Ref: CC-5596 CON03</i>	<i>Rev. G</i>
<i>Concept Jetty Turnpath Plan</i>	<i>Empire Engineering</i>	<i>19.05.22</i>	<i>Project Ref: CC-5596 CON04</i>	<i>Rev. G</i>
<i>Melbourne Office Floor Plan</i>	<i>ATCO Structures</i>	<i>29.06.2022 (as Amended)</i>	<i>030652-01</i>	<i>B</i>
<i>Low Profile Electronic Weighbridge – Foundation Details</i>	<i>Sensortronic</i>	<i>14.01.16</i>	<i>A3-4313/B/D Sheet 1 of 2</i>	<i>A</i>
<i>Low Profile Electronic Weighbridge – Foundation Reinforcement and Placement</i>	<i>Sensortronic</i>	<i>14.01.16</i>	<i>A3-4313/B/D Sheet 2 of 2</i>	<i>A</i>
<i>Above Ground Ramped Electronic Weighbridge – General Layout</i>	<i>Sensortronic</i>	<i>16.11.11</i>	<i>A#-9630/1</i>	<i>G</i>
<i>Environmental Report – Bulk Storage Facility Upgrade</i>	<i>Empire Engineering</i>	<i>May 2022</i>	<i>Project Ref: CC-5596</i>	<i>Rev. C</i>
<i>Traffic Impact Assessment – Bulk Storage Facility Upgrade</i>	<i>Empire Engineering</i>	<i>May 2022</i>	<i>Project Ref: CC-5596</i>	<i>Rev. B</i>
<i>Stormwater Management Plan – Bulk Storage Facility Upgrade</i>	<i>Empire Engineering</i>	<i>May 2022</i>	<i>Project Ref: CC-5596</i>	<i>Rev. B</i>
<i>Operational Environmental</i>	<i>Okara Pty Ltd</i>	<i>June 2018</i>		

Management Plan				
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

10. 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 if the first change associated with this approval does not happen within 6 years after this decision date – referenced in section 85 of the *Planning Act 2016*.

11. 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*).

For further information please contact the undersigned on 07 4976 1287 or via email planning@gpcl.com.au.

Yours sincerely



Erin Clark
Principal Planner

CC: Bundaberg Regional Council

WBBSARA

Enc. Attachment 1: Conditions of Approval
Part 1 – Conditions imposed by the assessment manager

Attachment 2: Approved plans and specifications

Attachment 3: Original Decision Notice

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, Bulk storage infrastructure and activities, Loading/unloading infrastructure and activities and Warehouse infrastructure and activities

GENERAL

1. *Development must be carried out generally in accordance with the Approved plans, except where modified by conditions of this permit.*
2. *Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of the development.*
3. *Where additional “approval” is required under these conditions by the Assessment Manager (GPC) for drawings or documentation the proponent must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.*

Furthermore, where additional approval is required “prior to works or use commencing”, for “amendments” or as otherwise required in this Decision, the Assessment Manager will require no less than the following assessment periods, or as agreed in writing by the proponent and Assessment Manager, to initially assess the drawings or documentation submitted:

- a. *15 business days for management plans;*
- b. *10 business days for proposals, including engineering drawings or further details.*

Should further information be required for assessment, the Assessment Manager will require a further 5 business days to complete the information request / amendment assessment and response.

Works are not to commence and are not deemed approved until any additional drawings or documents have been approved in writing by the Assessment Manager.

4. *The proponent must at its cost and expense, keep and maintain the development footprint, including existing services, in a state that is satisfactory to the Assessment Manager.*

ENGINEERING & PLANNING

5. *No storage or loading/ unloading of bulk materials or minerals are to occur on Lot 3 on SP133687 or Lot 501 on SP279707.*
6. *All vessel loading and unloading activities are to occur within Lot 276 on SP128643.*
7. *Haulage route to the wharf location must only occur along Buss Street and Newman Street (and the relevant part of Wharf Drive). Heavy vehicles to access the wharf from the South access ramp and exist on North access ramp only.*
8. *At all times, all weighbridge activities are to occur wholly within the lease boundary of the Approved use, as shown on the Approved plans.*
9. *Upon completion of the works, the proponent must supply the Assessment Manager with the full suite of project RPEQ certified “as constructed” plans in electronic CAD format which illustrate all infrastructure and services installed on, under or over Port land associated with the development, including tidal works.*
10. *Prior to the use commencing, the proponent must certify in writing to the Assessment Manager that the development is constructed as per design and that the development has been constructed generally in accordance with the Approved plans.*

11. Loading and unloading activities associated with exporting bulk materials and minerals under this Decision Notice are limited to the following products:

i. Minerals

1. Silica sand
2. Gypsum

ii. Materials

1. Rosin
2. Wood Pellet
3. Terpene

12. Records must be kept for each product of tonnes exported per annum and made available to the Assessment Manager upon request.

Street Identification

13. 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.

Fencing

14. Fencing to the site must be provided to a minimum of 1.8m in height, with any gates opening inwards. Where a solid fence is proposed, landscaping must be placed in front (roadside) of the fencing. Where transparent, fencing is to be black plastic coated chain wire fencing.

Traffic

15. A final Operational Traffic Management Plan (OTMP) must be provided to the Assessment Manager for approval at least 10 business days prior to the commencement of the use. All activities associated with construction must be carried out in accordance with the approved OTMP.

16. The TMP must comply with the Manual of Uniform Transport Control Devices (MUTCD).

17. Compliance with the MUTCD requires a Traffic Management Plan (map) and Traffic Guidance Schedule (written document) (TMP/TGS) that is prepared by an approved Traffic Management Designer in accordance with the MUTCD Part 3.

18. The site is to be sealed to a standard acceptable to the Assessment Manager. Prior to the commencement of the use, final details of the hardstand seal (including, but not limited to type and engineering detail) is to be provided to the Assessment Manager for approval.

Roads and Access

19. 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.

20. **Prior to the commencement of works**, the proponent must provide a sealed pavement for the driveway and front carpark.

21. All vehicles are to be stored on site. Trucks are not to queue off site. Any marshalling of trucks required off of the wharf during ship unloading must be approved in writing by GPC.

22. No **product, materials, minerals** or mud are to be tracked onto Buss Street **during the operation of the approved use**. Any material tracked onto Buss Street is to be cleaned in a timely manner.

Infrastructure

23. The applicant must notify the Assessment Manager of damage caused to any port or port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting etc., roads, walkways and underground services or infrastructure, as a result of the approved use or during construction. The proponent must

undertake necessary repairs at their expense and to the satisfaction of the Assessment Manager.

Fire Service

- 24. An appropriate fire service must be established and maintained to the satisfaction of the relevant authority.**

Construction Management

- 25. The proponent is required to apply for and obtain from GPC a Permit to Dig/Excavate prior to commencing works by contacting, Port Infrastructure Asset Manager on (07) 4976 1333. All reasonable measures must be taken to identify and protect existing services recorded or otherwise, and where necessary the proponent will submit a plan to GPC for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans**
- 26. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) shall be restricted to between 6.30am and 6:30pm Monday to Friday and 6.30am to 12.30pm Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager.**
- 27. Prior to construction works commencing on site, a Construction Traffic Management Plan (CTMP) and Traffic Guidance Scheme (TGS), designed and implemented in accordance with the current edition of the Manual of Uniform Traffic Control Devices, Part 3 – works on roads, and specific to the construction works being undertaken must be submitted to the Assessment manager for approval.**

The CTMP must be amended and approved by the Assessment Manager as necessary for any proposed or amended construction works.

- 28. Once approved, the works must be carried out in accordance with the CTMP and TGS and the plan and scheme will form part of the approved plans.**
- 29. Upon completion of the construction works, the proponent must reinstate the property to the same condition as prior to works being undertaken, with the exception of the approved works, unless agreed to in writing by the Assessment Manager.**
- 30. In the event any additional construction compound is required on port land outside the proponents lease areas for offices, laydown areas, employee car parking or stockpiling areas etc., the proponent or their contractor must obtain a Consent to Enter from GPC's Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.**
- 31. The construction compound, including offices, laydown areas and employee car parking, is to be contained within the nominated area unless otherwise approved in writing by the Assessment Manager.**
- 32. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of the development.**
- 33. In the event acid sulphate soils are disturbed/excavated and require treatment on site, a site specific Acid sulphate management plan must be submitted to the Assessment Manager for approval prior to such works commencing. Once the management plan is approved, the works must be carried out in accordance with this plan.**

Water and Sewer

- 34. An adequate connection to Bundaberg Regional Council's water and sewer infrastructure must be established prior to the commencement of the use.**

Note: For further information about these requirements, contact Bundaberg Regional Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.

Note: 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

- 35. A stormwater drainage system connecting to a lawful point of discharge must be installed as indicated 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.

36. 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.
37. 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.
- 38. Activities on site are not to generate sediment, hydrocarbon or other contamination in surface runoff and stormwater being discharged to Buss Street drainage.**

Stockpiles

39. 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.
40. 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 these condition/s of approval.

Lighting

41. 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.
- 42. Prior to the commencement of the use, design and install all external lighting in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting so as not to cause nuisance to residents, the airport, navigational aids or obstruct or distract pedestrian or vehicular traffic.**
- 43. Prior to works commencing, the proponent must submit for review and approval by the Assessment Manager, details of proposed mitigation measure/s to reduce skyglow from all external lighting associated with the development.**
- 44. Lighting must be designed to facilitate a safe and secure parking area, lit to a standard appropriate for safe night time operations.**

Landscaping

45. The proponent must maintain the property frontage in a clean and tidy manner, and mow any grassed areas regularly.
- 46. Prepare and submit for approval to the Assessment Manager a landscape plan. The plan must be prepared in accordance with the applicable codes and guidelines of the Port of Bundaberg Land use plan, and the conditions of this approval. The plan is to include, but not be limited to the following:**
 - i. Provision of shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces;**
 - ii. Details of the vegetated/ landscaped drainage path area/s;**
 - iii. Minimum 2m wide landscaping to the front and side boundaries;**
 - iv. Provision of mature trees and/ or species to a minimum 3m height to Buss Street frontage of site;**
 - v. Details of any proposed irrigation systems; and**
 - vi. Types and location of fencing to be used.**

All landscaping must be carried out and maintained in accordance with an approved Landscaping plan.

ENVIRONMENT

Construction Environmental Management Plan

- 47. Prior to the commencement of construction, an up to date Construction Environmental Management Plan (EMP) is to be submitted to the Assessment Manager for approval, specific to**

the development that ensures:

- a. environmental risks are identified, managed and continually assessed; and***
- b. that staff are trained and aware of their obligations under the CEMP, including a copy of the management plan and development approval available on site at all times; and***
- c. that reviews of environmental performance are undertaken at least annually; and***
- d. any amendments to the CEMP are to be submitted to the Assessment Manager for review and approval; and***
- e. any rehabilitation and decommissioning works where required.***

Once approved by the Assessment Manager, the construction of the approved development must be carried out in accordance with this CEMP.

Note: GPC has a guideline for the development of environmental management plans that may be utilised in meeting the requirements of this condition.

Operational Environmental Management Plan

48. Prior to the commencement of the use, an Environmental Management Plan (EMP) (separate to the CEMP) is to be submitted to the Assessment Manager for approval, specific to the full operational development that ensures:

- a. environmental risks are identified, managed and continually assessed; and***
- b. that staff are trained and aware of their obligations under the EMP, including a copy of the management plan and development approval available on site at all times; and***
- c. that reviews of environmental performance are undertaken at least annually; and***
- d. any amendments to the EMP are to be submitted to the Assessment Manager for review and approval; and***
- e. any rehabilitation and decommissioning works where required.***

Once approved by the Assessment Manager, the approved development must be carried out in accordance with this EMP.

Note: GPC has a guideline for the development of environmental management plans that may be utilised in meeting the requirements of this condition

Waste

49. At all times, maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.

50. 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 banded.

51. 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.

Fuel, Oil and Chemical Storage

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

Contamination

53. 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:

- a. contamination of the land;***
- b. encouragement of pest and weed incursion;***
- c. loss of land through poor sediment and erosion controls; and***
- d. 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

54. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:

- a. release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land (Note: 'land' is defined as where not within a containment system);**
- b. release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;**
- c. any environmental complaints received by the holder of this approval; and
- d. non-compliance with environment related conditions of this approval, or any other environmental approval obtained in relation to the approved activity.

55. ***Environmental incident notification must be included in any Environmental Management Plans for the premises/development.***

Part 1b: ADVICE NOTES

1. It is the applicant's responsibility to ensure that the relevant Environmental Authority for any Environmentally Relevant Activities required or related to the proposed works and activities is obtained for all areas of the proposal, including any areas used in the transit of materials.
2. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing, drainage works or Material change of use e.g. substation. Refer to tables of assessment (Table 4.1 and 4.2) to determine whether proposed development is Accepted subject to requirements or Code assessable. The proposed truck wash must also be appropriately connected to services, with relevant approvals.
3. This decision notice does not represent an approval to commence Building work, including any Building works approval to demolish any structures.
4. 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.
5. The applicant is advised that parts of this approved development are outside of the proposed formal tenure arrangements i.e. lease. Where tenure is required for the development site, the proponent or their contractor must apply for and obtain appropriate tenure from GPC's Property Advisor via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
6. Where a construction compound, laydown area or acid sulphate soil treatment site is required, the proponent or their contractor is required to apply for and obtain a Consent to Enter from GPC's Property Advisor via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
7. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
8. The premises is located on parts of lots that are registered on the Queensland Environmental Management Register. Therefore, disposal of any excavated material off site must be in accordance with relevant legislation, or alternately retained on site in accordance with all relevant legislative requirements.
9. Any future extensions or improvements to the proposed activity or establishment, including any future car parking or signage are likely subject to assessment under the Port of Bundaberg Land use plan 2020 and the applicant is encouraged to ensure all necessary enquiries are made and approvals obtained.
10. Where a Permit to Dig/Excavate prior to commencing excavation or digging for the development, the proponent or their contractor is required to apply for and obtain the permit by contacting the Port Infrastructure Asset Manager on 4976 1332 or bartono@gpcl.com.au.
11. The *Environmental Protection Act* 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction, and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.
12. Where the Applicant is required to submit further documentation to the Assessment Manager, this is to be directed to the Planning section at planning@gpcl.com.au, including reference to the allocated development application number.

PART 2: REFERRAL AGENCY CONDITIONS

Referral Agency Name: Department of State Development, Infrastructure, Local Government and Planning



SARA reference: 2109-24567 SRA
GPC reference: DA2017/09/03
Applicant reference: GC21-027-T01

22 February 2022

Gladstone Ports Corporation Limited
PO Box 259
GLADSTONE QLD 4680
planning@gpcl.com.au

Attention: Ms Judy Horsfall

Dear Ms Horsfall

SARA response—Wharf Drive, Buss Street, and Powers Street, Burnett Heads

(Referral agency response given under Section 56(1)(a) of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 6 October 2021.

Response

Outcome:	Referral agency response – no requirements
Date of response:	22 February 2022
Conditions:	Not applicable
Advice:	Advice to the applicant is in Attachment 1 .
Reasons:	The reasons for the referral agency response are in Attachment 2 .

Development details

Description:	Development permit	Change (Other) application to a Development approval for Material change of use for Bulk storage infrastructure and Activities, Loading/unloading infrastructure and activities and Warehouse infrastructure and activities
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation	

2017) – Environmentally relevant activities (only if the environmentally activity has not been devolved to a local government)

SARA reference: 2109-24567 SRA

Assessment Manager: Gladstone Ports Corporation Limited

Street address: Wharf Drive, Buss Street, and Powers Street, Burnett Heads

Real property description: Lot 1 on SP308111, Lot 276 on SP128643, Lot 3 on SP133687 and Lot 501 on SP279707

Applicant name: Okara Pty Ltd

Applicant contact details: 67 Barolin Street
Bundaberg QLD 4670
shane@insitesjc.com.au

Environmental Authority: This referral included an application for an environmental authority under section 115 of the *Environmental Protection Act 1994*. Below are the details of the decision:

- Approved
- Reference: P-EA-100204423
- Effective date: As nominated in the permit
- Prescribed environmentally relevant activity (ERA): ERA 50 – Mineral and bulk material handling

If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: www.des.qld.gov.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Hugh Byrnes, Principal Planning Officer, on 07 4331 5619 or via email WBBSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski
Manager, Planning – Wide Bay Burnett

cc Okara Pty Ltd
shane@insitesjc.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 2 - Representations provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.6]. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

The proposed development complies with State Code 22: Environmentally relevant activities, as the nature, scale and location of the proposed development avoids and mitigates environmental harm on environmental values.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.6]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Change representation provisions

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Permit

Environmental Protection Act 1994

Environmental authority P-EA-100204423

This DRAFT environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: P-EA-100204423

Environmental authority takes effect on the date that your related development approval "2109-24567 SRA" takes effect. This is the take effect date."

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name(s)	Registered address
OKARA PTY. LTD.	63 Buss Street PORT OF BUNDABERG QLD 4670

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse	1/SP308111 and 276/SP128643
ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	1/SP308111 and 276/SP128643

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise on the day the authority is issued.

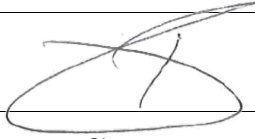
However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the original take effect date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the

additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.


Signature

18 February 2022

Date

Tristan Roberts
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:

GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Email: EnergyandExtractive@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at <https://www.rshq.qld.gov.au/>, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. If you are unsure that you have the most current version of the environmental authority relating to this site please visit <https://apps.des.qld.gov.au/env-authorities/> to access all environmental authorities currently approved.

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
G1	<p>Activities under this environmental authority must be conducted in accordance with the following limitations:</p> <ol style="list-style-type: none"> 1. The commodities that are authorised to be stored under this environmental authority include: <ul style="list-style-type: none"> • Silica sand • Gypsum • Wood Pellet • Rosin • Terpene 2. This environmental authority allows for the total maximum amount of 198,000 tonnes/year of the commodities mentioned in condition G1 (1). 3. The loading/unloading of commodities must only occur on the Sir Thomas Hiley Wharf on Lot 276 on SP128643 as shown in Appendix 1 as 'Minerals and Bulk material unloading and loading area'. 4. Storage of commodities mentioned in condition G1 (1) must only occur within the defined area shown in Appendix 1 as 'Minerals and Bulk material storage area'. 5. Records must be kept of the daily quantity of material or minerals processed.
G2	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
G3	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
G4	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G5	Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the administering authority, or nominated delegate upon request, within the required timeframe and in the specified format.
G6	<p>The activity must be undertaken in accordance with written procedures that:</p> <ol style="list-style-type: none"> a) identify potential risks to the environment from the activity during routine operations and emergencies; and b) establish and maintain control measures that minimise the potential for environmental harm; and c) ensure plant, equipment and measures are maintained in a proper and effective condition; and d) ensure plant, equipment and measures are operated in a proper and effective manner; and e) ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i>; and f) ensure that reviews of environmental performance are undertaken at least annually.

G7	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
G8	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification, or an equivalent certification, for such analyses. The only exception to this condition is the in situ monitoring of pH and electrical conductivity.
G9	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G10	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.

Agency interest: Waste

Condition number	Condition
W1	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
W2	Incompatible wastes must not be mixed in the same container or waste storage area.

Agency interest: Acoustic

Condition number	Condition																																															
N1	The noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.																																															
N2	<p>Noise from the activity must not exceed the levels identified in <i>Table – Winter months noise limits</i> and <i>Table –noise limits applicable in all other seasons</i> when measured in accordance with the associated monitoring requirements.</p> <p>Table – Winter months* noise limits</p> <table><tr><th rowspan="3">Noise level measured in dB(A)</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sunday and Public Holidays</th></tr><tr><th>7am–6pm</th><th>6pm–10pm</th><th>10pm–7am</th><th>7am–6pm</th><th>6pm–10pm</th><th>10pm–7am</th></tr><tr><th colspan="6">Noise measured at the sensitive place</th></tr><tr><td>L_{Aeq, adj, T}</td><td>49</td><td>49</td><td>49</td><td>49</td><td>49</td><td>49</td></tr><tr><td>L_{Amax,adj,T}</td><td>-</td><td>-</td><td>49</td><td>-</td><td>-</td><td>49</td></tr><tr><th colspan="7">Noise measured at the commercial place</th></tr><tr><td>L_{Aeq, adj, T}</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td></tr></table> <p>*Winter months are inclusive from 1 June to 31 August.</p> <p>Table –Noise limits applicable in all other seasons except Winter</p>	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am–6pm	6pm–10pm	10pm–7am	7am–6pm	6pm–10pm	10pm–7am	Noise measured at the sensitive place						L _{Aeq, adj, T}	49	49	49	49	49	49	L _{Amax,adj,T}	-	-	49	-	-	49	Noise measured at the commercial place							L _{Aeq, adj, T}	55	55	55	55	55	55
Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays																																												
	7am–6pm		6pm–10pm	10pm–7am	7am–6pm	6pm–10pm	10pm–7am																																									
	Noise measured at the sensitive place																																															
L _{Aeq, adj, T}	49	49	49	49	49	49																																										
L _{Amax,adj,T}	-	-	49	-	-	49																																										
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Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays																																												
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	Noise measured at the sensitive place																																															
L _{Aeq, adj, T}	55	55	50	55	55	50																																										
L _{Amax,adj,T}	-	-	49	-	-	49																																										
Noise measured at the commercial place																																																
L _{Aeq, adj, T}	55	55	55	55	55	55																																										
	<p>Associated monitoring requirements</p> <ol style="list-style-type: none">Limits are applied at the boundary of the sensitive receptor.All monitoring devices must be calibrated and maintained according to the manufacturer’s instruction manual.Any monitoring must be in accordance with the most recent version of the administering authority’s Noise Measurement Manual.Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation.																																															
N3	<p>When required by the administering authority, noise monitoring must be undertaken in accordance with the associated monitoring requirements of Table - Noise Limits, and the results notified within 14 days to the administering authority. Monitoring must include:</p> <ol style="list-style-type: none">L_{Aeq, adj, T};Background noise (Background) as L_{A90, adj, T};L_{Amax,T};the level and frequency of occurrence of any impulsive or tonal noise;atmospheric conditions including wind speed and direction;effects due to extraneous factors such as traffic noise;recording of location, date and time of measurements.																																															
N3	<p>The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Science’s Noise Measurement Manual</p>																																															
<p>Agency interest: Air</p>																																																
Condition number	Condition																																															
A1	<p>Odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.</p>																																															
A3	<p>Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place:</p> <ol style="list-style-type: none">dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), ora concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority.																																															
<p>Agency interest: Land</p>																																																

Condition number	Condition
L1	Contaminants must not be released to land.
L2	Treatment and management of acid sulfate soils must comply with the latest edition of the <i>Queensland Acid Sulfate Soil Technical Manual</i> .
L3	Before applying to surrender this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform.
Agency interest: Water	
Condition number	Condition
WT1	Contaminants must not be released to any waters.
WT2	Contaminants must not be released to groundwater or at a location where they are likely to release to groundwater.

Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Science or its successors or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.

Bulk material— as defined in Section 50 Schedule 2 of the Environmental Protection Regulation 2019.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

Incompatible waste means waste that may chemically react when:

1. placed in proximity to other wastes; and/or
2. mixed with other wastes.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.

$L_{Amax,T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

Land does not include waters.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Mineral— as defined in Section 50 Schedule 2 of the Environmental Protection Regulation 2019.

NATA means National Association of Testing Authorities.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

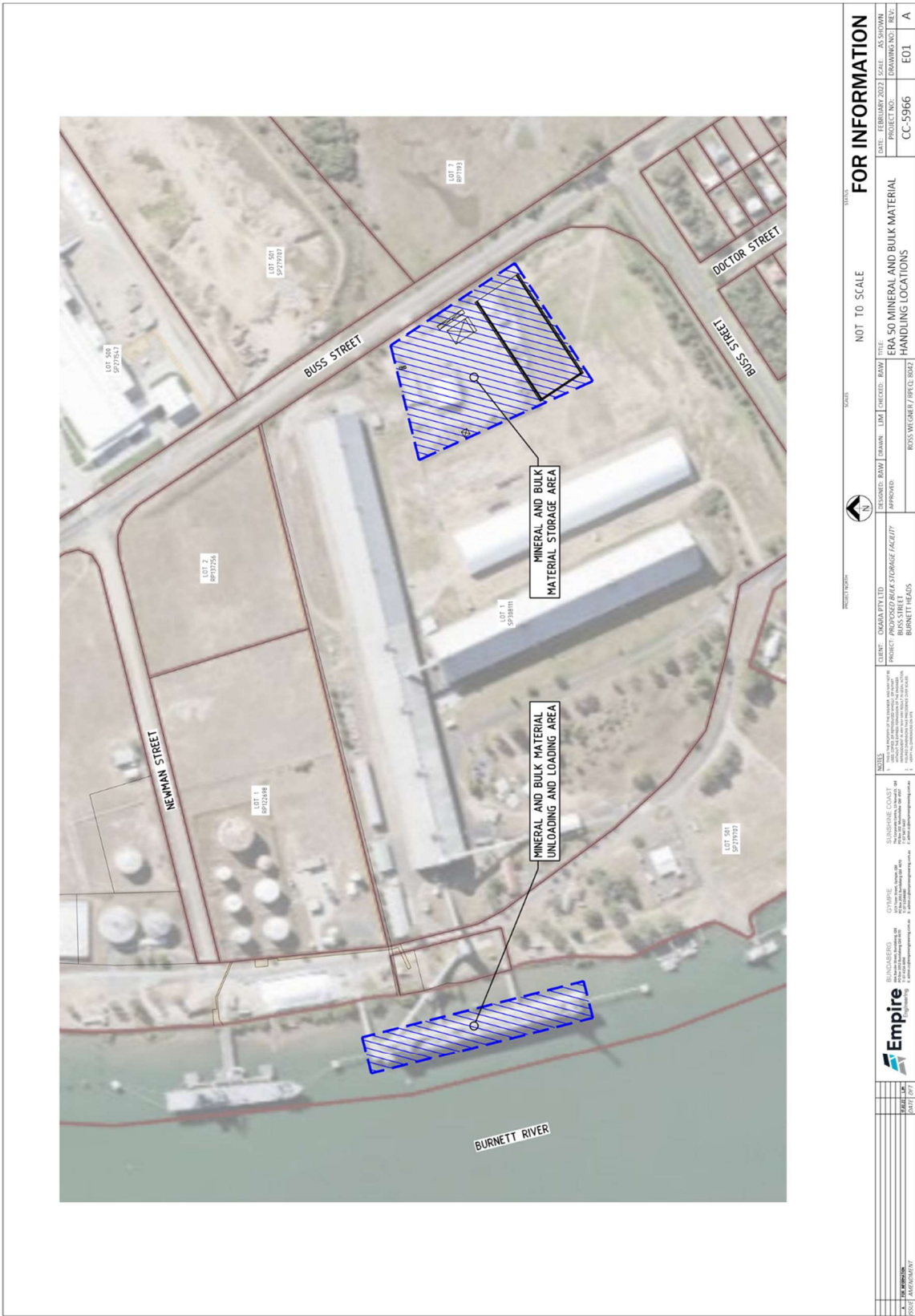
Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

Appendix 1



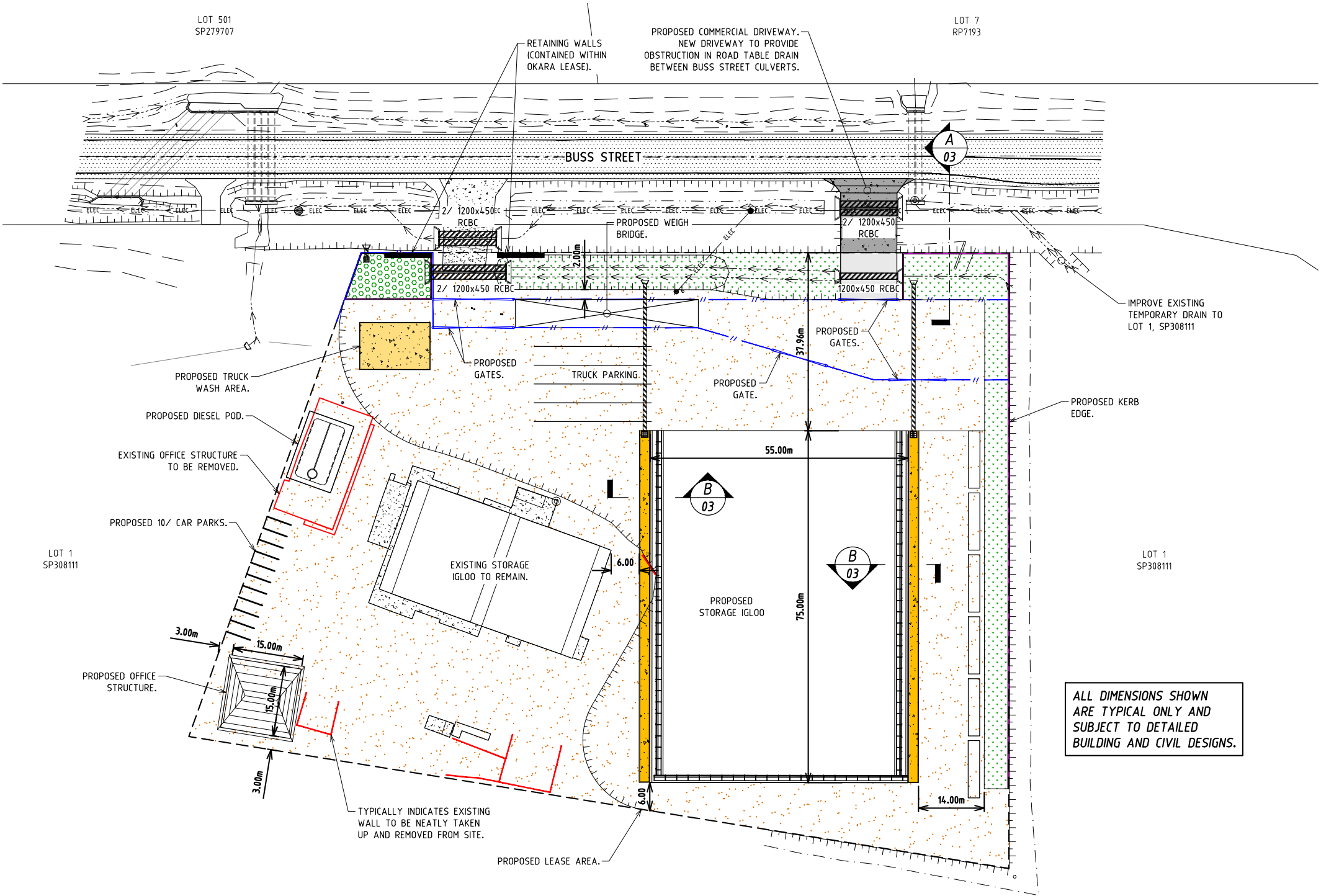
ATTACHMENT 2: APPROVED PLANS AND SPECIFICATIONS

WARNING

THE LOCATION OF ALL EXISTING SERVICES (E.G. TELSTRA, ELECTRICITY, SEWERAGE, WATER & GAS) ARE SHOWN SCHEMATICALLY ON THE DRAWINGS. PRIOR TO AND DURING CONSTRUCTION OBTAIN THE PRECISE LOCATION OF ALL SERVICES (UNDERGROUND & OVERHEAD) FROM THE RELEVANT AUTHORITY RESPONSIBLE FOR THE SERVICE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING SERVICES WHETHER SHOWN ON THE DRAWINGS OR NOT.

LEGEND

- PROPOSED LANDSCAPED DRAIN
- PROPOSED ASPHALT/BITUMEN SEALED HARDSTAND AREA
- PROPOSED BIORETENTION BASIN (MIN AREA 150m²)
- PROPOSED VEGETATED DRAINAGE SWALE
- PROPOSED LANDSCAPING
- PROPOSED FENCE (SHOWN INDICATIVELY, TBC)



ALL DIMENSIONS SHOWN
ARE TYPICAL ONLY AND
SUBJECT TO DETAILED
BUILDING AND CIVIL DESIGNS.

Date: 12:34pm 30/06/2022

Name: Erin Clark

APPROVED

Gladstone Ports Corporation

FOR INFORMATION

19.05.22	LJM
19.05.22	LJM
19.05.22	LJM
19.05.22	LJM
25.11.22	LJM
03.11.21	LJM
DATE	DFT



BUNDABERG
46A Barolin Street, Bundaberg, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 4154 4894
E: admin.co@empireengineering.com.au

GYMPIE
3/13 Tison Street, Gympie, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 53544080
E: admin.co@empireengineering.com.au

SUNSHINE COAST
The Corporate Centre, 13 Novak Ct, Qld
PO Box 102 Mooloolaba Qld 4557
T: 07 5477 6437
E: admin.sc@empireengineering.com.au

NOTES

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- FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED.
- VERIFY ALL DIMENSIONS ON SITE.

CLIENT: OKARA PTY LTD

PROJECT: PROPOSED BULK STORAGE FACILITY
BUSS STREET
BURNETT HEADS

DESIGNED: RAW

DRAWN: LJM

CHECKED: RAW

APPROVED:

ROSS WEGNER / RPEQ: 8042

TITLE:

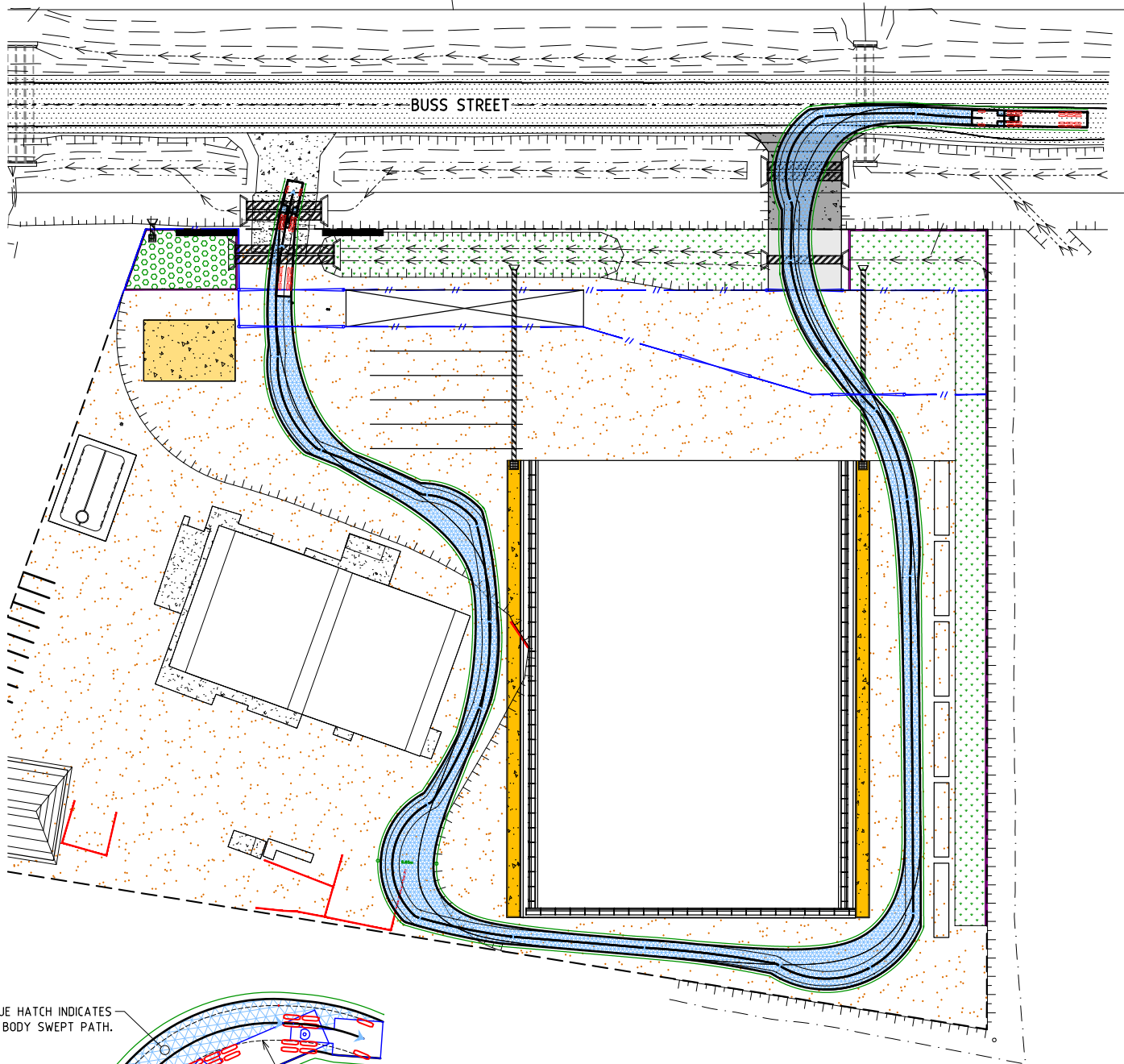
CONCEPT SITE PLAN

DATE: JUNE 2021 SCALE: AS SHOWN

PROJECT NO: DRAWING NO: REV:

CC-5966 CON01 G

LOT 7
RP7193

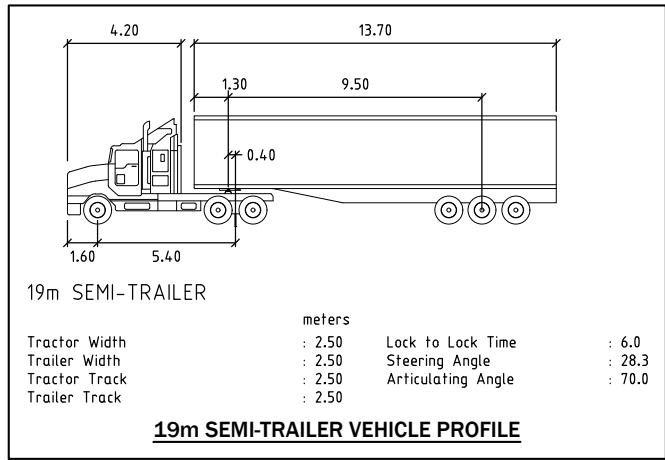


BLUE HATCH INDICATES
BODY SWEEP PATH.

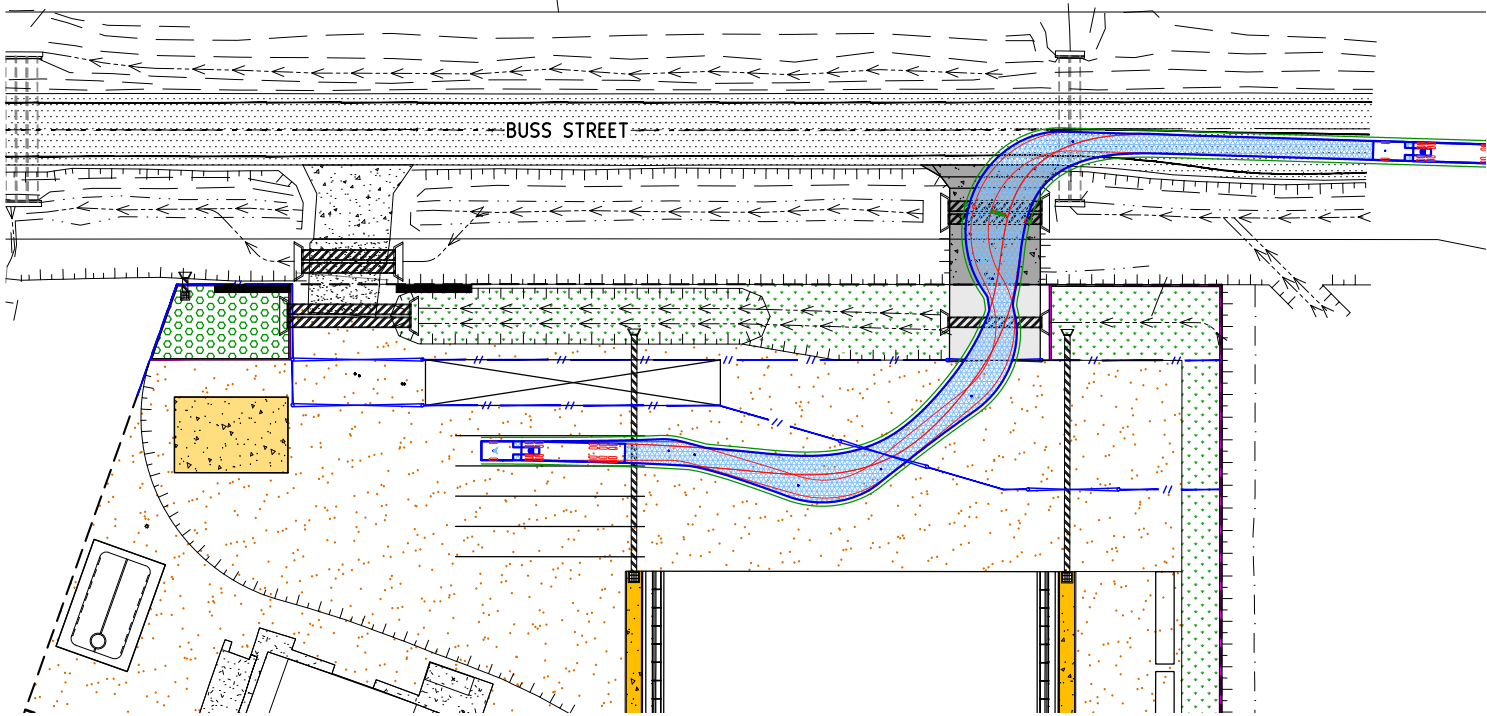
RED DASHED LINE
INDICATES TYRE PATH.

GREEN LINE INDICATES
0.5m CLEARANCE
OFFSET FROM BODY.

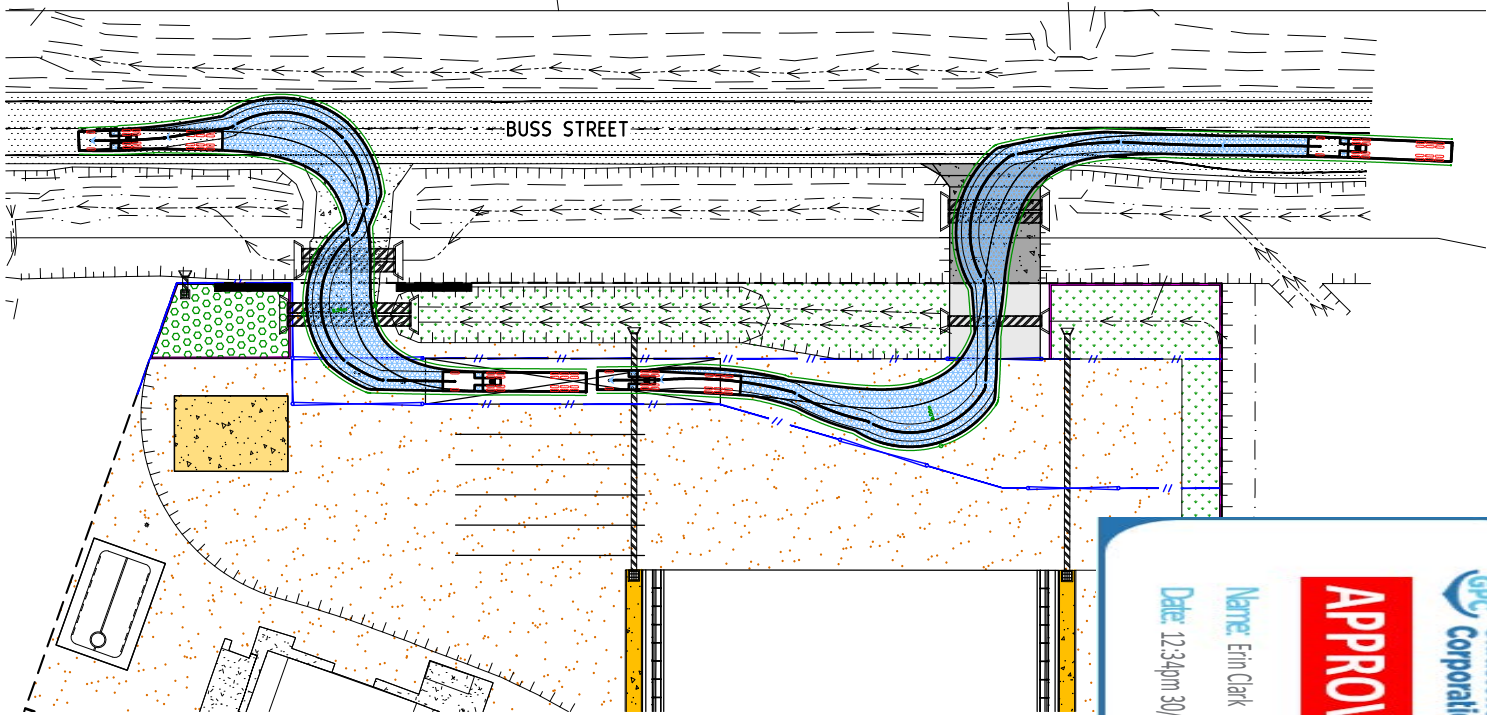
VEHICLE TURNPATH LEGEND



LOT 7
RP7193



LOT 7
RP7193



PROJECT NORTH

SCALES

1:500 at A1
1:1000 at A3

Date: 12/30/2022

Name: Erin Clark

APPROVED

Gladstone Ports
Corporation

FOR INFORMATION

ISSUE	AMENDMENT	DATE	DFT
G	FOR INFORMATION	19.05.22	LJM
F	FOR INFORMATION	18.05.22	LJM
E	FOR INFORMATION	18.03.22	LJM
D	FOR INFORMATION	18.03.22	LJM
C	FOR INFORMATION	25.11.22	LJM
B	FOR INFORMATION	03.11.21	LJM



BUNDBERG
46A Bardin Street, Bundaberg, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 4154 4894
E: admin.cc@empireengineering.com.au

GYMPIE
3/10 Tiger Street, Gympie, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 53544080
E: admin.cc@empireengineering.com.au

SUNSHINE COAST
The Corporate Centre, 13 Norval Qld
PO Box 102 Mooloolaba Qld 4557
T: 07 5477 6437
E: admin.sc@empireengineering.com.au

NOTES

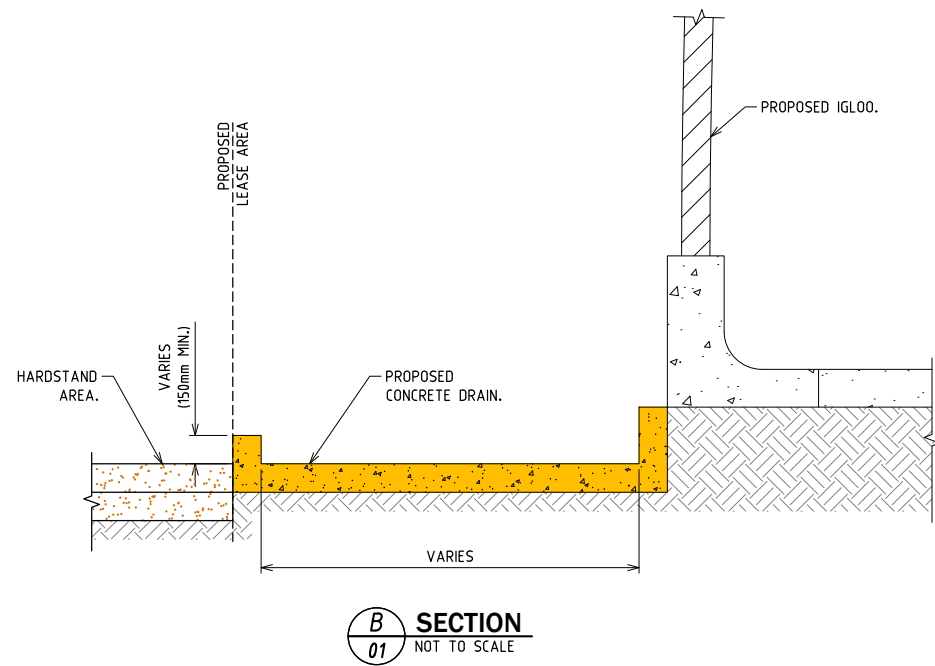
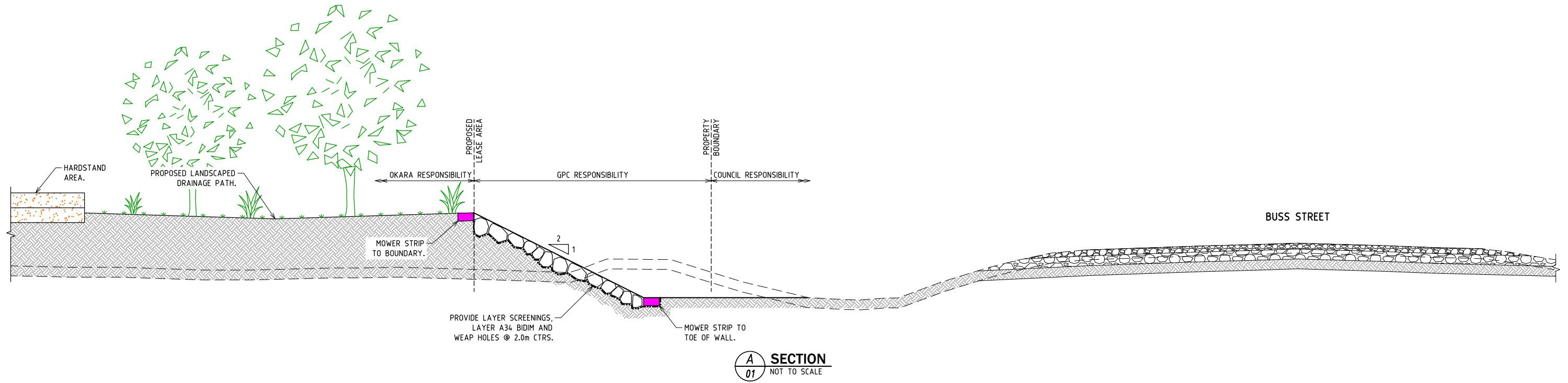
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- FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED.
- VERIFY ALL DIMENSIONS ON SITE.

CLIENT: OKARA PTY LTD
PROJECT: PROPOSED BULK STORAGE FACILITY
BUSS STREET
BURNETT HEADS

DESIGNED: RAW
DRAWN: LIM
CHECKED: RAW
APPROVED:
ROSS WEGNER / RPEQ: 8042

TITLE:
CONCEPT TURNPATH PLANS

DATE:	JUNE 2021	SCALE:	AS SHOWN
PROJECT NO:	CC-5966	DRAWING NO:	CON02
REV:			G



FOR INFORMATION

G	FOR INFORMATION	19.05.22	LJM
F	FOR INFORMATION	10.05.22	LJM
E	FOR INFORMATION	20.03.22	LJM
D	FOR INFORMATION	18.03.22	LJM
C	FOR INFORMATION	25.01.22	LJM
B	FOR INFORMATION	03.10.21	LJM
ISSUE	AMENDMENT	DATE	DFT



BUNDABERG
66A Barolin Street, Bundaberg, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 4154 4894
E: admin.cc@empireengineering.com.au

GYMPIE
3/19 Tozer Street, Gympie, Qld
PO Box 2052 Bundaberg Qld 4670
T: 07 53544080
E: admin.cc@empireengineering.com.au

SUNSHINE COAST
The Corporate Centre, 13 Novak Cl, Qld
PO Box 102 Mooloolaba Qld 4557
T: 07 5477 6437
E: admin.sc@empireengineering.com.au

NOTES

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2. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED.
3. VERIFY ALL DIMENSIONS ON SITE.

CLIENT: OKARA PTY LTD

PROJECT: PROPOSED BULK STORAGE FACILITY
BUSS STREET
BURNETT HEADS

DESIGNED: RAW

DRAWN: LIM

CHECKED: RAW

APPROVED:

ROSS WEGNER / RPEQ: 8042

TITLE:

CONCEPT SECTIONS

DATE: JUNE 2021

SCALE: AS SHOWN

PROJECT NO:

CC-5966

DRAWING NO:

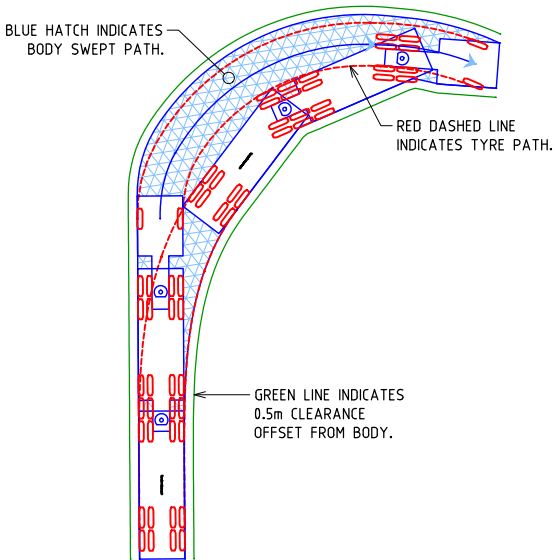
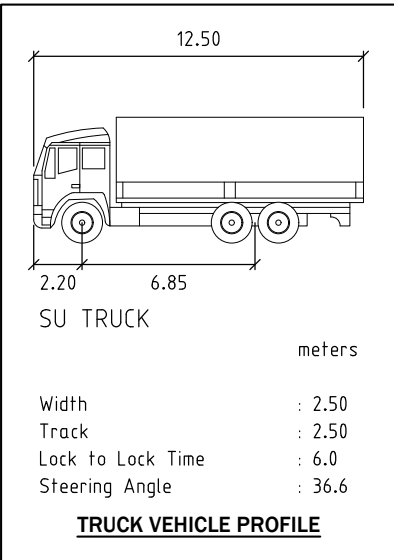
CON03

REV:

G



THE LOCATION OF ALL EXISTING SERVICES (E.G. TELSTRA, ELECTRICITY, SEWERAGE, WATER & GAS) ARE SHOWN SCHEMATICALLY ON THE DRAWINGS. PRIOR TO AND DURING CONSTRUCTION OBTAIN THE PRECISE LOCATION OF ALL SERVICES (UNDERGROUND & OVERHEAD) FROM THE RELEVANT AUTHORITY RESPONSIBLE FOR THE SERVICE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING SERVICES WHETHER SHOWN ON THE DRAWINGS OR NOT.



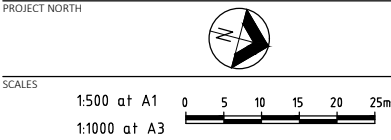
VEHICLE TURNPATH LEGEND

 **GPC**
Gladstone Ports
Corporation


APPROVED

Name: Erin Clark

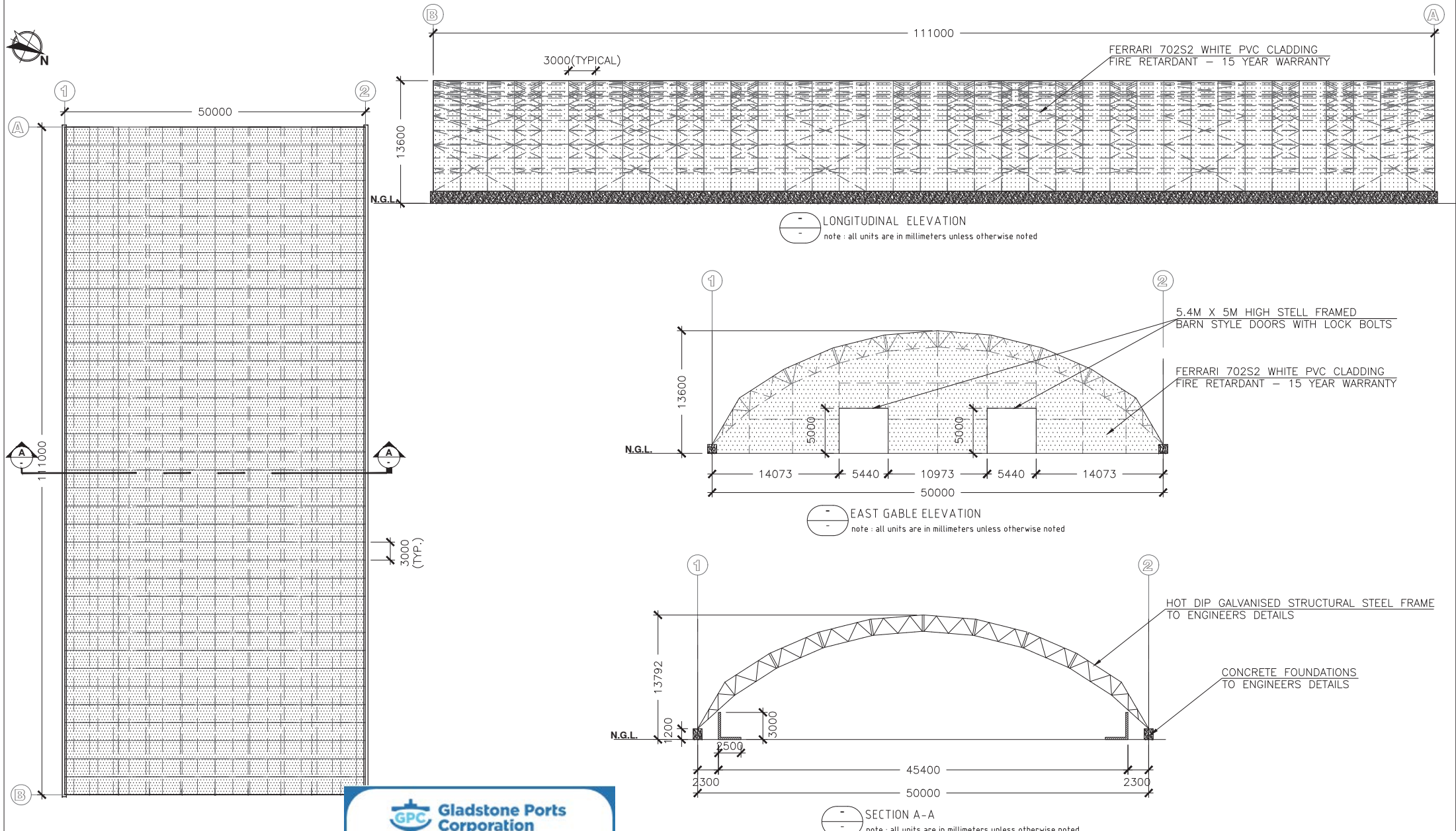
Date: 12:34pm 30/06/2022



FOR INFORMATION

G	FOR INFORMATION	19.05.22	LJM	 <div style="display: flex; justify-content: space-between;"> <div> BUNDABERG 66A Avon Street, Bundaberg, Qld PO Box 2052 Bundaberg Qld 4670 T: 07 4154 4894 E: admin.cc@empireengineering.com.au </div> <div> GYMPIE 3/19 Tozer Street, Gympie, Qld PO Box 3022 Bundaberg Qld 4670 T: 07 53554080 E: admin.cc@empireengineering.com.au </div> <div> SUNSHINE COAST PO Box 102 Moonoolba Qld 4557 T: 07 5477 6437 E: admin.sc@empireengineering.com.au </div> </div>	NOTES	CUSTOMER: OKARA PTY LTD	DESIGNED: RAW	DRAWN: LJM	CHECKED: RAW	TITLE:
F	FOR INFORMATION	19.05.22	LJM		<p>THIS IS THE PROPERTY OF THE ENGINEER, AND MAY NOT BE USED, COPIED, OR REPRODUCED WHOLLY, OR IN PART WITHOUT THE EXPRESS PERMISSION OF THE ENGINEER.</p> <p>IMPROVEMENTS IN ANY WAY MAY RESULT IN LEGAL ACTION.</p> <p>FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED.</p> <p>VERIFY ALL DIMENSIONS ON SITE.</p>	PROJECT: PROPOSED BLK STORAGE FACILITY BUSS STREET BURNETT HEADS	APPROVED:	CONCEPT JETTY TURNPATH PLAN		
E	FOR INFORMATION	19.05.22	LJM							
D	FOR INFORMATION	19.05.22	LJM							
C	FOR INFORMATION	25.01.22	LJM							
B	FOR INFORMATION	03.11.21	LJM							
A	ISSUE AMENDMENT	DATE	DFT							
		DATE	JUNE 2021	SCALE:	AS SHOWN					
		PROJECT NO:	CC-5966	DRAWING NO:	CON04	REV:				

QUALITY CERTIFIED TO ADDRESS 800 860 7834 BY SC-9000 INTERNATIONAL MELBOURNE VIC 3201	DATE	23/06/03	DRAWING No. 030652 - 01
	SCALE	1:50	
	GRABED	LYN	
	CHECKED		
	TITLE	FLOOR PLAN - MELBOURNE	A2 REVISION R



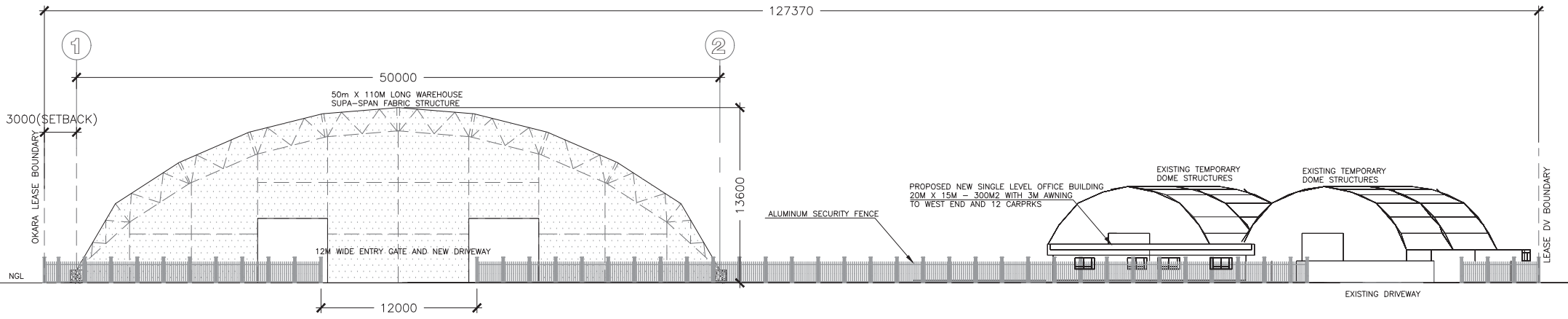
Gladstone Ports Corporation

APPROVED

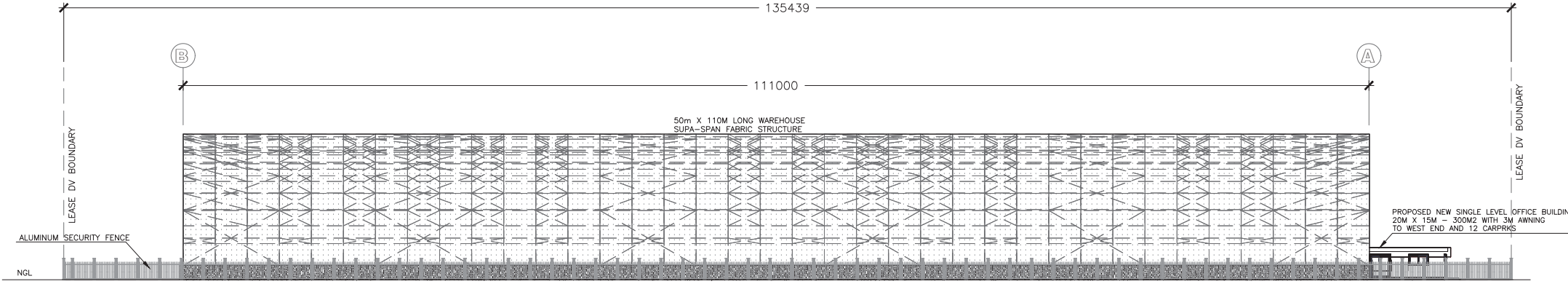
Name: Erin Clark

Date: 12:39pm 30/06/2022

<p>FABRITECTURE PTY LTD 14 / 15 JOHN DUNCAN CRT VARSITY, 4226 QLD AUSTRALIA</p>	Project Title:			Mark	Date	By	Revision
	OKARA PROPOSED DEVELOPMENT, LEASE DV, BUSS STREET						
Drawing Title: SUPA SPAN STRUCTURE Drawing No: 20114 - A04	Scale: AS SHOWN		Date: 21-05-07	COPYRIGHT THIS DOCUMENT IS CONFIDENTIAL AND REMAINS THE PROPERTY OF FABRITECTURE PTY LTD. IT MUST NOT BE DISCLOSED OR COPIED BY ANY MEMBER OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF FABRITECTURE PTY LTD.			
	Drawn By: MG	Checked By: JJ	Passed By: DG				
Drawing Status:				INFORMATION ONLY			



EAST ELEVATION
 note : all units are in millimeters unless otherwise noted
 scale : NTS



SOUTH ELEVATION
 note : all units are in millimeters unless otherwise noted
 scale : NTS



APPROVED

Name: Erin Clark

Date: 12:39pm 30/06/2022



FABRITECTURE PTY LTD

14 / 15 JOHN DUNCAN CRT

VARSIY, 4226 QLD

AUSTRALIA

Project Title:				Mark	Date	By	Revision
OKARA PROPOSED DEVELOPMENT, LEASE DV, BUSS STREET							
Drawing Title:		Scale: AS SHOWN		Date: 21-05-07			
SOUTH AND EAST ELEVATIONS		Drawn By: MG	Checked By: JJ	Passed By: DG			
Drawing No:		Drawing Status:		COPYRIGHT			
20114 - A03		INFORMATION ONLY		THIS DOCUMENT IS CONFIDENTIAL AND REMAINS THE PROPERTY OF FABRITECTURE PTY LTD. IT MUST NOT BE DISCLOSED OR COPIED BY ANY MEMBER OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF FABRITECTURE PTY LTD.			

Plan view of a bridge deck. The total width is 26040. The deck is divided into sections with dimensions: 1000, 1520, 7500, 4000, 4000, 7500, 1520, and 1000. The centerline is labeled 'WEIGHBRIDGE CENTERLINE'. Details are indicated: 'DETAIL 2' at the bottom left, 'DETAIL 3' at the top center, and 'TYPICAL 4 PLACES' on the right side. A note indicates '750mm (MINIMUM) ACCESS CLEARANCE, BOTH SIDES.' at the bottom right. The deck thickness is 4000. A typical dimension of 250 is shown on the left side.

Figure 1: Typical cross-section of a concrete curb and channel. The diagram shows a cross-section of a curb and channel assembly. On the left, a circular inset labeled "DETAIL 1" shows a close-up of the curb's top edge with a 45-degree chamfer. The main cross-section shows a curb with a height of 75 units and a channel with a depth of 450 units. The curb is 800 units wide at its base. A note indicates "BOLLARDS 500x250x315mm HIGH, TYPICAL 4 PLACES." and another note states "LEVEL APPROACH OR RAMP TO BE CONSTRUCTED AS A SEPARATE MEMBER. TYPICAL OTHER END."

TOP SURFACE OF END WALLS MUST BE LEVEL WITH IN $\pm 5\text{mm}$ TYPICAL

THE INTERNAL SURFACE OF THE END WALLS MUST BE VERTICAL, WITHIN $\pm 3\text{mm}$. TYPICAL.

THIS JOINT SHOULD BE CLEAN BUT ROUGH. SEALWALL BONDRYL 737 ADHESIVE (OR EQUIVALENT) SHOULD BE USED IF NOT POURED WITH SLAB.

1000

315

200

410-2mm

250

350

240

300

INTERNAL SURFACE OF THE
WALLS MUST BE VERTICAL,
MIN $\pm 3\text{mm}$. TYPICAL.

300 x 240 x 85mm DEEP
LOADCELL RECESS.
TYPICAL 8 PLACES.

The diagram shows a cross-section of a concrete slab with a curved top surface. A rectangular recess is shown within the slab, with a width of 240mm and a depth of 300mm. The recess is centered horizontally and vertically within the slab's thickness. A dashed line indicates the bottom of the slab. An arrow points from the text label to the recess.

TO INDICATOR POSITION
(NOT MORE THAN 6m FROM
WEIGHBRIDGE DECK). CONDUIT
TO PROTRUDE 150mm ABOVE
FOUNDATION SLAB.

Diagram of a semi-circular weight bridge. The bridge is semi-circular with a diameter of 150 mm. The center of the bridge is labeled "WEIGHBRIDGE CENTERLINE". The top of the bridge is labeled "150mm ABOVE LAB.". The bridge is divided into two halves by a vertical centerline. The left half is labeled "D" and the right half is labeled "E". The bridge is shown in a cross-section view.

1. (A) SITE MUST BE APPROVED & SITE WORK SUPERVISED BY CLIENTS CIVIL ENGINEER.
(B) FOUNDATION DESIGN TO SUIT STABLE SOIL CONDITIONS (CLASS M), WITH A MINIMUM ALLOWABLE BEARING PRESSURE OF 160kPa.
2. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH A.S.3600, MINIMUM CONCRETE STRENGTH SHALL BE 32MPa AT 28 DAYS.
3. IF USED FOR TRADE WEIGHING - LOCATION, APPROACH LENGTH & ACCESS CLEARANCE MUST BE APPROVED BY CONSUMER AFFAIRS/ WEIGHTS AND MEASURES AUTHORITIES.
4. GROUND ROD MUST BE LOCATED AS SHOWN ON PLAN. INSTALL ROD 1.75m INTO MOIST EARTH MAKING SURE IT PROTRUDES 50mm ABOVE FOUNDATION SLAB LEVEL.
5. THE TOP SURFACE OF THE SLAB WILL BE USED AS FORM WORK FOR CASTING THE DECK. THEREFORE, IT MUST BE FLAT AND HORIZONTAL WHEN CHECKED WITH AN AUTOMATIC LEVEL. THE HIGHEST POINT IS TO BE WITHIN 5mm OF THE LOWEST POINT.
6. ALL DIMENSIONS ARE WITH IN ± 5 mm UNLESS OTHERWISE STATED.

E	1	COPPER CLAD GROUND ROD x 1.8m LONG (MINIMUM)	-
D	AS REQ'D	Ø50mm CONDUIT, L.S. 90° BENDS, DRAW WIRE & CAPS	-
C	2	END WALL SURROUND SUPPLIED WITH WEIGHBRIDGE	3896/B-3.5m
B	AS REQ'D	REINFORCEMENT, REFER DRG. A3-4313/B/D-26x3.5m (SHEET 2)	-
A	21m ³	APPROXIMATE OF CONCRETE	-
ITEM	REQ'D	MATERIAL/DESCRIPTION	PART No.

The logo for Gladstone Ports Corporation (GPC) is shown, featuring a stylized ship icon above the letters 'GPC'. To the right of the logo, the text 'Gladstone Ports Corporation' is displayed. Below this, a large red rectangular stamp with the word 'APPROVED' in white capital letters is visible. Underneath the stamp, the text 'Name: Erin Clark' and 'Date: 12:40pm 30/06/2022' is printed.

THIS DESIGN OR DRAWING
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SUBJECT TO RECALL. THE
CONTENTS MUST NOT BE
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CONSENT.

SCALE: 1:100, 1:25

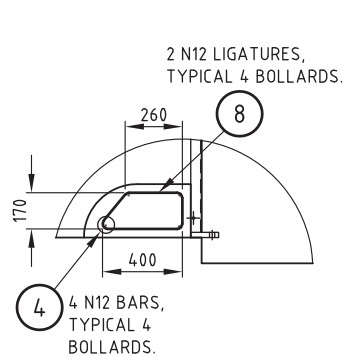
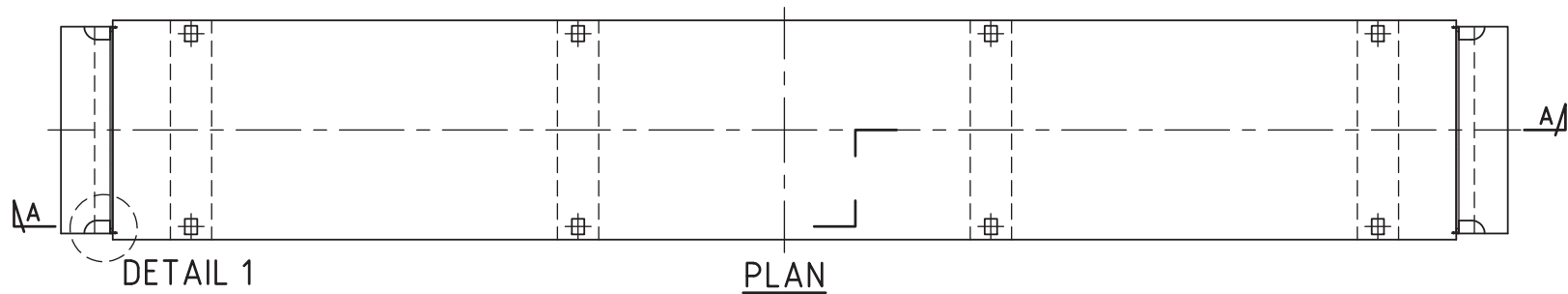
FOUNDATION DETAILS

A3-4313/B/D
26m x 3.5m

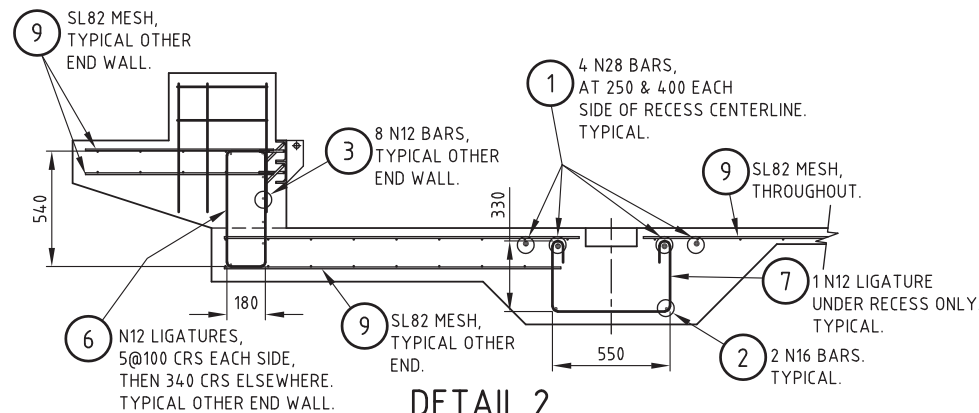
SHEET 1 OF 2

		Date: 12:40pm 30/06/2022	
A	NOTES REVISED	14.01.16	SIMON
REV.	DESCRIPTION	DATE	APP.

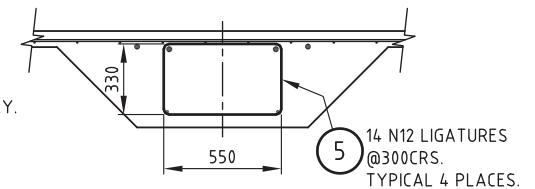
THIS DRAWING SHOULD NOT BE SCALED - IF IN DOUBT ASK.



DETAIL 1



DETAIL 2



DETAIL 3

ISSUED FOR
CONSTRUCTION

- NOTES:
1. REINFORCEMENT TO AS 1302, 1303, 1304.
 2. REINFORCEMENT COVER
40mm TOP COVER
60mm BOTTOM COVER
60mm EDGE COVER

CALCS107.11A

ITEM	REQ'D	MATERIAL/DESCRIPTION	PART No.
9	11	SL82, 6m x 2.4m SHEETS	
8	8	N12 x 1.05 LN BENT AS SHOWN	
7	8	N12 x 1.43 LN BENT AS SHOWN	
6	36	N12 x 1.54 LN BENT AS SHOWN	
5	56	N12 x 1.88 LN BENT AS SHOWN	
4	16	N12 x 0.6 LN	
3	16	N12 x 3.88 LN	
2	8	N16 x 4.12 LN	
1	16	N28 x 4.12 LN	



SENSORTRONIC
Weighing & Inspection
Australia

11/92 McLaughlin Street
Kawana, Queensland 4701
T: (07)49226838 Fax: (07) 49212335

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CONSENT.

DR. BY: SIMON DATE: 13.11.2013
CH. BY: SK DATE: 13.11.2013
APP. BY: SK DATE: 13.11.2013
SCALE: 1:100, 1:25

TITLE:
**26m x 3.5m LOW PROFILE
ELECTRONIC WEIGHBRIDGE
(DIGITAL LOADCELL)**

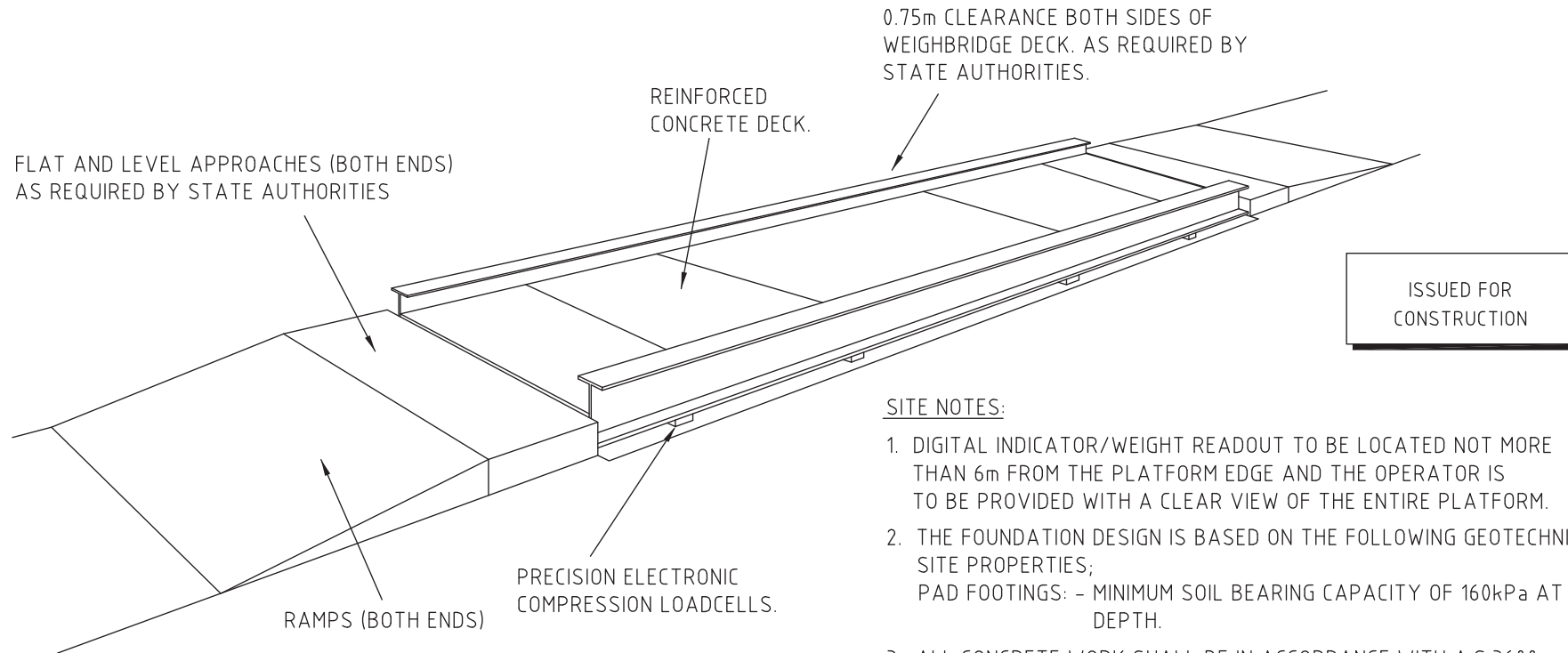
FOUNDATION REINFORCEMENT AND PLACEMENT

DRAWING No.
A3-4313/B/D
26m x 3.5m

REV. No.
SHEET 2 OF 2

REV.	DESCRIPTION	DATE	APP.
------	-------------	------	------

THIS DRAWING SHOULD NOT BE SCALED - IF IN DOUBT ASK.



SITE NOTES:

1. DIGITAL INDICATOR/WEIGHT READOUT TO BE LOCATED NOT MORE THAN 6m FROM THE PLATFORM EDGE AND THE OPERATOR IS TO BE PROVIDED WITH A CLEAR VIEW OF THE ENTIRE PLATFORM.
2. THE FOUNDATION DESIGN IS BASED ON THE FOLLOWING GEOTECHNICAL SITE PROPERTIES;
PAD FOOTINGS: - MINIMUM SOIL BEARING CAPACITY OF 160kPa AT 500mm DEPTH.
3. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH A.S.3600, MINIMUM STRENGTH TO BE 32MPa AT 28 DAYS.
4. REINFORCEMENT TO A.S.1302, 1303, AND 1304.
5. DESIGN AND SITE WORK MUST BE APPROVED, AUTHORIZED AND SUPERVISED BY CUSTOMER'S QUALIFIED CIVIL ENGINEER.
6. MAXIMUM LOADINGS: 9000kg PER SINGLE AXLE, 17000kg PER TANDEM AXLE WITH SPACINGS BETWEEN 1.3m AND 2.8m, AND 3m (MAXIMUM) BETWEEN INSIDE OF ADJACENT TANDEMS, 21000kg PER TRI-AXLE BOGIE WITH AXLE CENTRES OF 1.3m
7. IT IS THE CUSTOMERS/SITE OWNERS RESPONSIBILITY TO PROVIDE SUCH ITEMS AS PLATFORMS, STEPS, GUARD RAILS, SIGNAGE ETC. THAT MAY BE REQUIRED TO SATISFY THE REQUIREMENTS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT.



G	SIDE CLEARANCE CHANGED TO 0.75m WAS 1m	16.11.11	SIMON
F	MAXIMUM LOADING CHANGED	21.04.09	SIMON
E	RAMP ALTERED&CONCRETE STRENGTH CHANGE TO 32Mpa	29.07.08	SIMON
D	REDRAWN ON CAD	23.10.02	AR
REV.	DESCRIPTION	DATE	APP.

SENSORTRONIC
Weighing & Inspection
AUSTRALASIA

11/92 McLaughlin Street
Kawana, Queensland 4701
T: (07)49226838 Fax: (07) 49212335

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DR. BY: AR	DATE: 23.10.2002	ABOVE GROUND - RAMPED ELECTRONIC WEIGHBRIDGE GENERAL LAYOUT	DRAWING No. A3-9630/1
CH. BY: SK	DATE: 21.04.2009		REV. No. G
APP. BY: SK	DATE: 21.04.2009		SHEET 1 OF 1
SCALE: N.T.S.			

ATTACHMENT 3: ORIGINAL DECISION NOTICE



Gladstone Ports Corporation

Growth, Prosperity, Community.

GPC Document No. 1419745
GPC Ref: DA2017/09
Your Ref.:

5 June 2018

Mr Phill Casey
Okara Pty Ltd
PO Box 9153
BURNETT HEADS QLD 4670

Email: administration@okara.com.au

Dear Mr Casey

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 February 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

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. Storage of bulk bags of cement, ship unloading of bulk bags of cement
5. Storage of bulk gypsum (max. 5000t), handling/unloading bulk gypsum less than 100t per day
6. Storage of bagged gypsum
7. Bagging and distributing bagged gypsum
8. Storage of bulk silica sand (max. 5000t), handling/unloading bulk sand less than 100t per day within lease area
9. Motor vehicle maintenance
10. Fuel storage up to a maximum of 2250L for refuelling on-site vehicles only.

3. Details Of Decision

This minor change application was **decided** on **5 June 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:

- c) 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 minor change for motor vehicle maintenance and fuel storage to a maximum of 2250L.

SUPERSEDED

Material change of Use for port industry – dated 5 February 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:

3. 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**:

-3-

Drawing/report title	Prepared by	Date	Reference no.	Version
Aspect of development: Material Change of Use				
Operational Environmental Management Plan	Okara Pty Ltd	June 2018		
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

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*.

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
5 June 2018

Cc: relevant local government

Enc. Attachment 1: Conditions of Approval
Part 1 – Conditions imposed by the assessment manager

Attachment 2: Approved plans and specifications

Attachment 3: Extract of appeal provisions

Gladstone Ports Corporation Limited

T: +61 7 4976 1333 • Fax: +61 7 4972 3045 • 40 Goondoon St/PO Box 259, Gladstone QLD, 4680, AUSTRALIA • www.gpcl.com.au
ACN 131 965 896 ABN 96 263 788 242

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

GENERAL

56. 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.
57. Unless otherwise stated, all conditions must be completed prior to the commencement of the use.
58. 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.
59. All other relevant regulatory approvals must be obtained before commencement of works or operation of the facility.
60. 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.
61. 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

62. 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).
63. Certification of all building and plumbing work is required. The approval holder must provide GPC with RPEQ certification of building foundations.
64. 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

65. 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

66. 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.
67. 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.

-4-

68. ~~Within 12 months of the date of this approval~~ Prior to 5 February 2019 the proponent must provide a sealed pavement for the driveway and front carpark.
69. 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.
70. 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.
71. All activities associated with development must be carried out in accordance with the approved Traffic Management Plan.
72. All vehicles are to be stored on site. Trucks are not to queue off site. Any marshalling of trucks required off of the wharf during ship unloading must be approved in writing by GPC.

Water and Sewer

73. 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.
74. 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 indicated 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

75. 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.
76. All site lighting is not to adversely impact on turtle nesting on surrounding beaches.

Landscaping

77. 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

- ~~78. Prior to works commencing on site, an Environmental Management Plan (EMP) that complies with GPC EMP guidelines and is specific to this application and its associated works, is to be submitted to GPC for approval. Furthermore, GPC will require no less than 10 business days to initially assess the EMP. Should further information be required to be provided for the assessment of the EMP, GPC will require a further 5 business days to complete the information request response.~~

23. Operational Environmental Management Plan 2018 (EMP) dated June 2018 is approved subject to the following amendments:

- a) Removal of all references to another igloo being built after approval of the EMP,
- b) Removal of all references to a 36,000L fuel storage being installed after approval of the EMP, and
- c) Inclusion of a label on the site map showing the location of the 2000L fuel storage and if relevant, removal of reference or illustration of a 36,000L fuel storage.

24. Any further amendments to the approved EMP must be approved by GPC.

25. Where there is any conflict between the conditions of this approval and the EMP, the conditions of this approval shall prevail.

Noise

26. 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

27. 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

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

Waste

29. 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.

30. 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.

31. 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.

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Fuel, Oil and Chemical Storage

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

Contamination

33. 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.

34. Gladstone Ports Corporation Environment Hotline (07) 4976 1617) is to be notified of the occurrence of any;

- reportable release/spill of contaminants (e.g. fuels, chemicals);
- any environmental complaints received by the holder of this approval; and
- non-compliance with conditions of this approval or any environmental approval obtained.

ATTACHMENT 4: EXTRACT OF APPEAL PROVISIONS

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

<p>Table 1</p> <p>Appeals to the P&E Court and, for certain matters, to a tribunal</p>
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ol style="list-style-type: none"> (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
2. Change applications For a change application other than an excluded application, an appeal may be made against— (a) the responsible entity's decision on the change application; or (b) a deemed refusal of the change application.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
3. Extension applications For an extension application other than an extension application called in by the Minister, an appeal may be made against— (a) the assessment manager’s decision on the extension application; or (b) a deemed refusal of the extension application.			

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager

4. Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

(a) the notice involved an error relating to—

(i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge—

- the incorrect application of gross floor area for a non-residential development
- applying an incorrect ‘use category’, under a regulation, to the development

(ii) the working out of extra demand, for section 120; or

(iii) an offset or refund; or

(b) there was no decision about an offset or refund; or

(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or

(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 2
Appeals to the P&E Court only

1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

Table 2
Appeals to the P&E Court only

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency's referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>

4. Compensation claims

An appeal may be made against—

- (a) a decision under section 32 about a compensation claim; or
- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

Table 2
Appeals to the P&E Court only

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 A person given a decision notice about the decision 2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about— <ul style="list-style-type: none"> (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or (b) the erection of a building or other structure. 			

Table 2
Appeals to the P&E Court only

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

Table 3
Appeals to a tribunal only

1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval

Table 3
Appeals to a tribunal only

2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against— <ul style="list-style-type: none"> (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or (b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act. 			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
4. Local government failure to decide application under the Building Act An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—
5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> , other than a failure by the Queensland Building and Construction Commission to make a decision, within the period required under that Act, if an information notice about the decision was required to be given under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—