

29 April 2022

East Coast Maritime Pty Ltd
c/- Engineers Queensland, Stephen Strachan
17 Flinders Parade
GLADSTONE QLD 4680

Dear Mr Strachan

DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2022/03/01

(GIVEN UNDER SECTION 63 PLANNING ACT 2016 AND THE PROVISIONS OF GPC LAND USE PLAN 2012V2)

1. Application Details

The development application described below was **properly made** to the Gladstone Ports Corporation Limited on **28 February 2022**.

Application Number:	DA2022/03/01
Applicant Name:	East Coast Maritime Pty Ltd
Applicant Contact Details:	Stephen Strachan Engineers Queensland 17 Flinders Parade GLADSTONE QLD 4680 Email: stephen@engqld.com.au
Approval Sought (Land Use Plan):	<ol style="list-style-type: none"> 1. Material change of use for Commercial activities (office, workshop and storage facility) 2. Port application for landscaping, earthworks, infrastructure and services
Approval Sought (Port Overlay):	<ol style="list-style-type: none"> 3. Material change of use for commercial activities in a priority port's master planned area
Location Street Address:	215 Alf O'Rourke Drive, GLADSTONE QLD 4680
Location Real Property Description:	Lease MAQ on SP215263 in Lot 210 on SP120888
Land Owner:	Gladstone Ports Corporation Limited
Land Use Plan Precincts:	Strategic port land – Light industry and commerce precinct

Port Overlay Precincts:	Priority port's master planned area – Port, industry and commerce precinct
Local Government Area:	Gladstone

2. Details Of Proposed Development

Development on Strategic port land:

- Material change of use for Commercial activities (office, workshop and storage facility);
- Port application for associated Landscaping, Earthworks and installation of services and infrastructure;

Development in Priority port's master planned area:

- Material change of use for commercial activities exceeding 1500m² development footprint.

The development is proposed to facilitate the operations of East Coast Maritime or sub-lessees with the provision of office, workshops and laydown/storage areas.

3. Details Of Decision

This development application was **decided** on **27 April 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.

This application **is not** taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

4. Details Of Approval

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

- (a) Material Change of Use for Commercial activities (Office, Workshop and Storage) (*Planning Regulation 2017* reference Schedule 10, part 13, division 5, subdivision 1); and
- (b) Material Change of Use for Commercial activities exceeding 1500m² footprint (*Planning Regulation 2017* reference Schedule 10, part 13, division 4, subdivision 1); and
- (c) Port Application for undertaking work in, on, over or under premises that materially affects the premises or their use including landscaping, earthworks and installation of infrastructure and services (*GPC Land Use Plan 2012v2*).

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:

- (a) Any building or plumbing works

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 and/or drawings are approved and enclosed in Attachment 2:

Drawing/report title	Prepared by	Date	Reference no.	Version	Approval subject to the following changes
Aspect of development: Material Change of Use					
3D View	CjF design and drafting pty ltd	15/12/2021	Project no: 10903 A101	A	As amended 27.04.2022
Site Plan	CjF design and drafting pty ltd	01/04/2022	Project no: 10903 A102	C	As amended 27.04.2022
Floor Plan Lower level	CjF design and drafting pty ltd	28/03/2022	Project no: 10903 A103	C	
Floor Plan upper level	CjF design and drafting pty ltd	15/12/2021	Project no: 10903 A104	A	
Elevations – east and north	CjF design and drafting pty ltd	15/12/2021	Project no: 10903 A105	A	As amended 27.04.2022
Elevations – West and south	CjF design and drafting pty ltd	15/12/2021	Project no: 10903 A106	A	
Notes & Section	CjF design and drafting pty ltd	15/12/2021	Project no: 10903 A107	A	
Aspect of development: Port Application					
As above where applicable					

12. Currency Period for the Approval

Pursuant to section 85 of the Planning Act, this development approval will lapse at the end of the periods set out below:

- (a) For Material Change of Use this approval lapses if the first change of use does not happen within 6 years after the approval has effect.
- (b) For Port Application this approval lapses 2 years after this approval decision date.

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

13. 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 the Material Change of Use component of this approval.

No legislated appeal rights are afforded with the part of this decision notice for a Port Application as the application was not made under the provisions 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: Gladstone Regional Council

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

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 the following conditions which are stated by GPC, the Assessment Manager.

Part 1a: Approval sought under Planning Act 2016 – Material change of use

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 for drawings or documentation the proponent must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.

Furthermore, the Assessment Manager will require no less than 10 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the relevant development or works.

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

General

5. Upon completion of the works and prior to the commencement of the use, the proponent must supply the Assessment Manager with RPEQ certified “As Constructed” plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity.
6. Prior to the use commencing, the proponent must certify that the development is constructed as per design and that the development has been constructed generally in accordance with the Approved plans.
7. Where any excavation is being undertaken, the proponent is required to apply for and obtain from the Assessment Manager 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 the Assessment Manager for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans.
8. 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 name and number and, where appropriate, the building/business name.
9. The approved development must be constructed of materials to minimise glare and reflection.

Amended Plans

10. Prior to the submission of an Operational Works, Building work application, or commencement of use, whichever comes first, submit to and have approved by the Assessment Manager amended plans and/or documents which incorporate the following:

- a. Removal of solid wall to car port structure presenting to the street frontage to allow increased articulation to streetscape;
- b. Amendment of fencing to building/ car port frontage to allow increased casual surveillance and presentation to the streetscape;
- c. Clearly identified entry point to the building, including pedestrian path; and
- d. Any amendment to the site layout to facilitate stormwater management, if required.

Once approved, the amended plans will form part of the Approved plans.

Infrastructure

11. 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, mains, 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 in consultation with and to the satisfaction of, the Assessment Manager and the Gladstone Regional Council as applicable.
12. Prior to the commencement of the use, provision of a water connection to Gladstone Ports Corporations (GPC) existing water infrastructure is to be installed by the Assessment Manager with the cost borne by the applicant. The connection to GPC's water infrastructure to the minimum standards stipulated, being the Capricorn Municipal Development Guidelines (CMDG) and relevant Australian Standard/s.
13. Prior to the commencement of the use, infrastructure and services connections must be made for energy and telecommunications, and any associated conduits are to be installed.
14. Fire hydrants and boosters must be appropriately located and connected and associated building certification provided upon completion of construction.
15. Prior to the commencement of the use, the approved development must be connected to reticulated sewerage infrastructure.

Note: Gladstone Regional Council is the owner of, and responsible for, sewerage infrastructure in this location.

Stormwater

16. Prior to the commencement of the use, a lawful point of discharge for storm water must be established, demonstrating no actionable nuisance.

Traffic

17. An Operational Traffic Management Plan (TMP) must be provided to the Assessment Manager for approval at least 10 business days prior to the commencement of the works. All activities associated with construction must be carried out in accordance with the approved OTMP.
18. The TMP must comply with the Manual of Uniform Transport Control Devices (MUTCD). 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.
19. The car park pavement surface must be constructed and sealed to an adequate standard for proposed use and vehicle type, being the Capricorn Municipal Development Guidelines (CMDG) and relevant Australian Standard/s.
20. Prior to the commencement of associated works, submit to Assessment Manager, 'for construction' design drawings for the carpark and associated vehicle access areas including pavement, kerbing and if applicable, car stoppers.

Hours of Operation

21. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) is to 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.
22. Unless otherwise approved in writing by the Assessment Manager, hours of operation for the approved commercial uses are limited to 7am to 10pm Monday to Saturday.

Lighting

23. 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.
24. Lighting must be designed to facilitate a safe and secure parking area, lit to a standard appropriate for safe night time operations.
25. Any site lighting used during construction, or installed permanently, should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Assessment Manager.

Screening

26. Install and maintain suitable screening to all air conditioning, lift motor rooms, plant, service facilities, or similar equipment located on the rooftop or to an external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the building façade or as an architectural feature of and visually consistent with the profile of the building.

Landscaping

27. Landscaping is to be carried out and maintained in accordance with approved plans. The proponent must maintain the property frontage in a clean and tidy manner, and mow any grassed areas regularly.
28. Prior to the commencement of the associated works, 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 land use plan, and the conditions of this approval. The plan is to include, but not be limited to the following:
 - a) Provision of shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces (that are not undercover);
 - b) Details of species type and planting location;
 - c) Details of irrigation system;
 - d) A minimum 3m wide landscaping to street frontage;
 - e) A minimum 1m wide landscaping strip to each side boundary to the extent shown on approved plan/s.

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

29. The proponent must establish and maintain all landscaping within the lease (MAQ) on 210 on SP120888 generally in accordance with the Landscape Plan and this Approval. All landscaping within the lease must be maintained by the proponent for the term of the lease, including replacing failed plantings in a timely manner.

Waste management

30. At all times during operation of the use, 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.
31. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the storage site, on port roads or property 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.

ENVIRONMENT

Operational Environmental Management Plan

32. Prior to the use commencing on site, an Operational Environmental Management Plan (OEMP) specific to operation of this development post construction, is to be submitted to the Assessment Manager (GPC) for approval.

The approved use must be undertaken in accordance with the approved OEMP that ensures:

- a. environmental risks, including but not limited to, waste management, stormwater quality, air quality/dust, noise, odour, lighting, are identified, managed and continually assessed in relation to the operation of the facility;
- b. Specific noise consideration of equipment and machinery to be used must be included to ensure nuisance to nearby receptors is minimised;
- c. hours of operation are included;
- d. that staff are trained and aware of their obligations under the OEMP, including a copy of the management plan and development approval available on site at all times;
- e. that reviews of environmental performance are undertaken at least annually; and
- f. any amendments to the OEMP are to be submitted to GPC for review and approval.

Once approved by the Assessment Manager, the operational works must be carried out in accordance with this OEMP.

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

Incident notification

33. 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;
 - 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 conditions of this approval or any other environmental approval obtained in relation to the development.
34. Environmental incident notification must be included in any Environmental Management Plans for the premises/development.

Part 1b: Approval sought under GPC Land Use Plan 2012v2 – Port Application

Construction Management

35. 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 GPC.
36. Prior to construction works commencing on site, a final Construction Traffic Management Plan (CTMP) specific to the construction works being undertaken must be submitted to the Assessment Manager (GPC) for approval. All activities associated with construction must be carried out in accordance with the approved CTMP.
37. At all times, maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas and appropriate storage and disposal of regulated waste e.g. materials containing asbestos, so as not to cause an environmental nuisance or create a safety hazard to the public.
38. In the event works are required to be carried out outside the lease area, the proponent or their contractor must obtain a Consent to Enter from GPC's Property Advisor prior to works commencing.
39. In the event a construction compound is required on port land outside the project lease area for offices, laydown areas, employee car parking or stockpiling areas etc., the proponent or their contractor must obtain a Consent to Enter from the Assessment Manager's Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
40. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of development.
41. 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.
42. Upon completion of the construction works, the proponent must reinstate the property to the same condition prior to the works being undertaken unless agreed to in writing by the Assessment Manager (GPC).
43. Any construction fill material used must be uncontaminated and reused from onsite or sourced from a licensed quarry.
44. Prior to construction works commencing on site, an amended Construction Environmental Management Plan (CEMP) specific to construction of this development, is to be submitted to the Assessment Manager (GPC) for approval.

The construction must be undertaken in accordance with the approved CEMP that ensures:

- (a) environmental risks, including but not limited to, noise, odour, lighting, dust, sediment and erosion are identified, managed and continually assessed in relation to the construction activity;

- (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;
- (c) that reviews of environmental performance are undertaken at least annually; and
- (d) any amendments to the CEMP are to be submitted to GPC for review and approval.

Once approved by the Assessment Manager, the construction activity 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.

Waste management

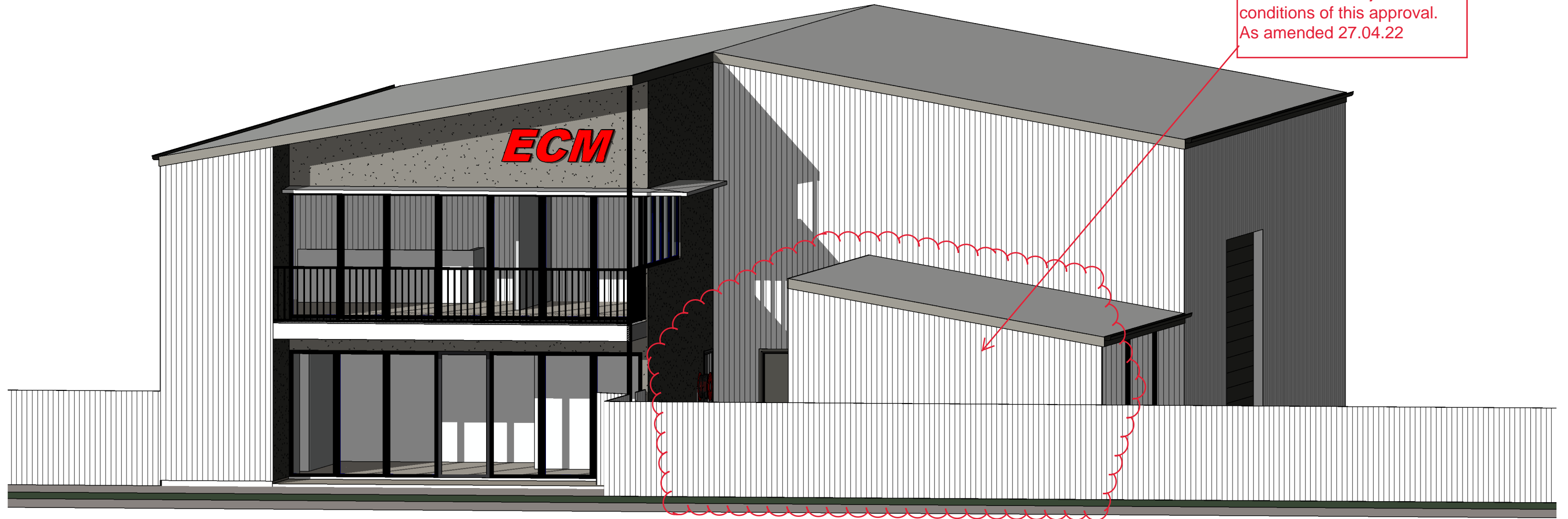
- 45. At all times during works, maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.
- 46. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the 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.

Part 1c: ADVICE NOTES

1. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing and drainage works.
2. 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.
3. Where a construction compound, laydown area, or works outside of a tenure area are required, the proponent or their contractor is required to apply for and obtain a Consent to Enter from the Assessment Manager's Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
4. 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.
5. This decision notice does not represent an approval to commence Building work.
6. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
7. Any future signage (advertising devices) is subject to assessment against the Land use plan. The signage must be located within the lease area and may require a development application to be lodged.
8. 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.
9. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: pfso@gpcl.com.au, contracted_security@gpcl.com.au and gpcsupervisor@diamondprotection.com.

Attachment 2 Approved Plans and Specifications

Amendments subject to conditions of this approval.
As amended 27.04.22



Sheet List

Sheet Number	Sheet Name	Current Revision	Current Revision Description	Current Revision Date
A101	3D VIEW	A	CONSTRUCTION	15/12/21
A102	SITE PLAN	C	CONSTRUCTION	1/4/22
A103	FLOOR PLAN lower level	B	CONSTRUCTION	4/2/22
A104	FLOOR PLAN upper level	A	CONSTRUCTION	15/12/21
A105	ELEVATIONS	A	CONSTRUCTION	15/12/21
A106	ELEVATIONS	A	CONSTRUCTION	15/12/21
A107	NOTES & SECTION	A	CONSTRUCTION	15/12/21
A108	LOCALITY PLAN	B	CONSTRUCTION	4/2/22



design and drafting pty ltd
75 Pikes Crossing Road BENARABY Qld 4680
m:0420 925 877 e:cvfogarty@bigpond.com
abcc: 1230821 abn: 63 156 503 383 acn: 156503383

Proposed Development
for W. Daly
at 215 Alf O'Rourke Drive
GLADSTONE Q.

3D VIEW

Project no: 10903 Date: NOV 2021

No.	Description	Date
1	PRELIMINARY-not for construction	28/11/21
A	CONSTRUCTION	15/12/21

A101

Scale at A3

Rear of the site not part of this approval

existing chainwire fence around perimeter

90000 radius

note: roofwater to discharge to kerb or GPC requirements.

rpd

Lease MAQ on SP 215263
in Lot 210 on SP 120888
local authority: GLADSTONE R.C.

site area: 4000 m²
building area: 515 m²
site coverage: 12.9%

A106 west

A105 north

A105 east

A106 south

approx. location of sewer

1.5m wide landscaping

existing chainwire gates

existing driveway and crossover

7
6
5
4
parking

fire hydrant

colorbond fence

parking

10
9
8
parking

carport parking

1 2 3
carport parking

3m wide landscaping as per GPC Landscaping Guidelines

3000

1.5m wide landscaping

3000

colorbond fence

2500

6000

existing chain mesh wire fence to be removed along front

Alf O'Rourke Drive

APPROVED

Name: Erin Clark

Date: 10:25am 29/04/2022

design and drafting pty ltd

75 Pikes Crossing Road BENARABY Qld 4680

m:0420 925 877

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abcc: 1230821

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Proposed Development
for W. Daly
at 215 Alf O'Rourke Drive
GLADSTONE Q.

SITE PLAN

Project no: 10903 Date: NOV 2021

No.	Description	Date
1	PRELIMINARY-not for construction	28/11/21
A	CONSTRUCTION	15/12/21
B	CONSTRUCTION	4/2/22
C	CONSTRUCTION	1/4/22

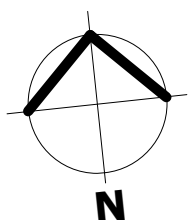
A102

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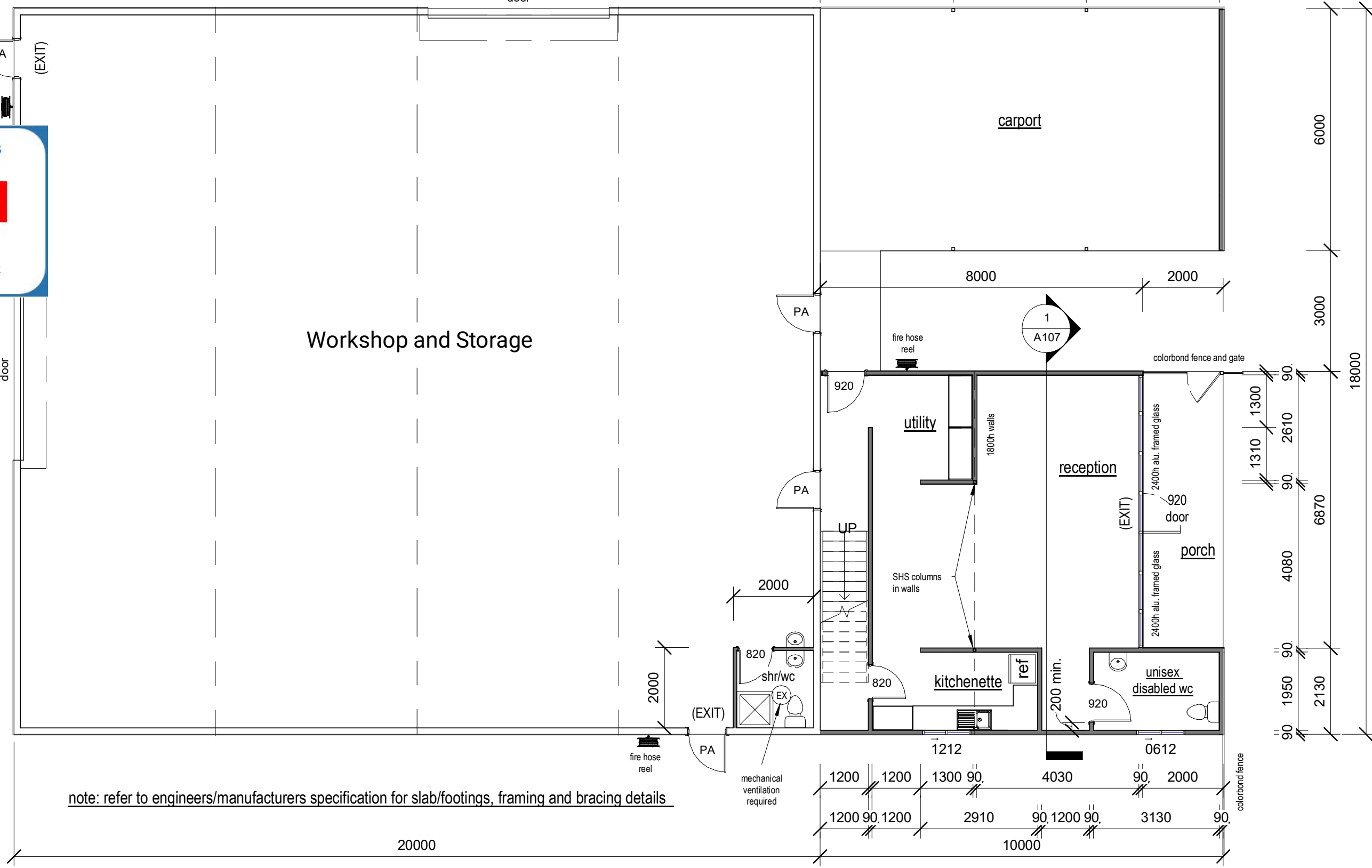
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note: provide portable fire extinguishers as specified in AS 2444, fire hose reels as specified in AS 2441 and smoke detectors as specified in AS 1670.1



floor area	
name	area
balcony	13.74
carport	64.50
lower	76.26
porch	13.74
upper	72.13
workshop	360.00
Grand total: 6	600.37



note: refer to engineers/manufacturers specification for slab/footings, framing and bracing details



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Proposed Development
 for W. Daly
 at 215 Alf O'Rourke Drive
 GLADSTONE Q.

FLOOR PLAN lower level		
Project no: 10903 Date: NOV 2021		
No.	Description	Date
1	PRELIMINARY-not for construction	28/11/21
A	CONSTRUCTION	15/12/21
B	CONSTRUCTION	4/2/22
C	Revision	28 Mar 22

A103

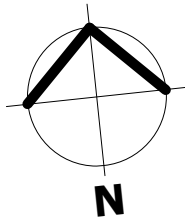
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note: refer to engineers/manufacturers specification for slab/footings, framing and bracing details

GPC Gladstone Ports Corporation

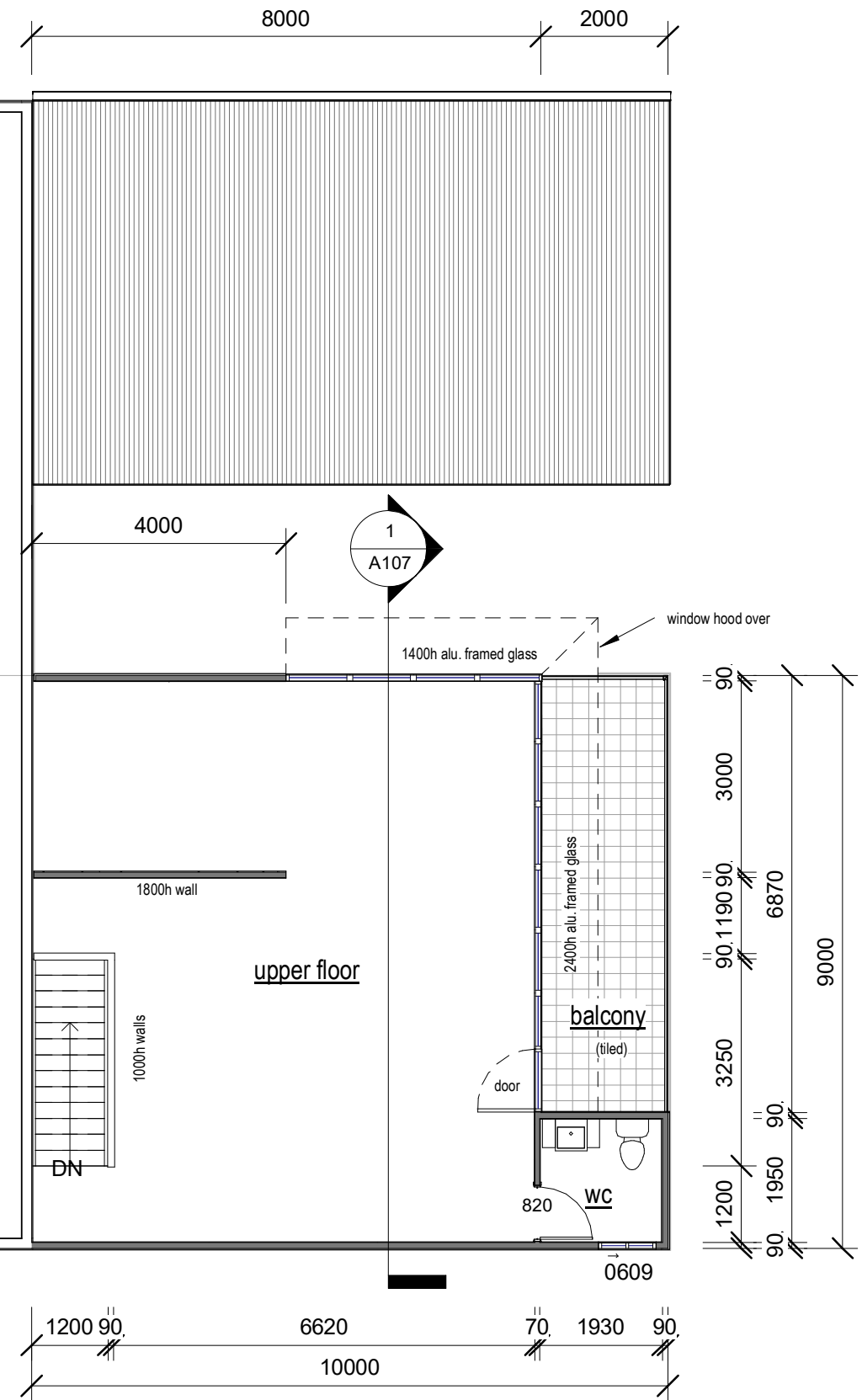
APPROVED

Name: Erin Clark
Date: 10:25am 29/04/2022



floor area	
name	area

balcony	13.74
carport	64.50
lower	76.26
porch	13.74
upper	72.13
workshop	360.00
Grand total: 6	600.37



design and drafting pty ltd

75 Pikes Crossing Road BENARABY Qld 4680

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abcc: 1230821

abn: 63 156 503 383

acn: 156503383

Proposed Development
for W. Daly
at 215 Alf O'Rourke Drive
GLADSTONE Q.

FLOOR PLAN upper level

Project no: 10903 Date: NOV 2021

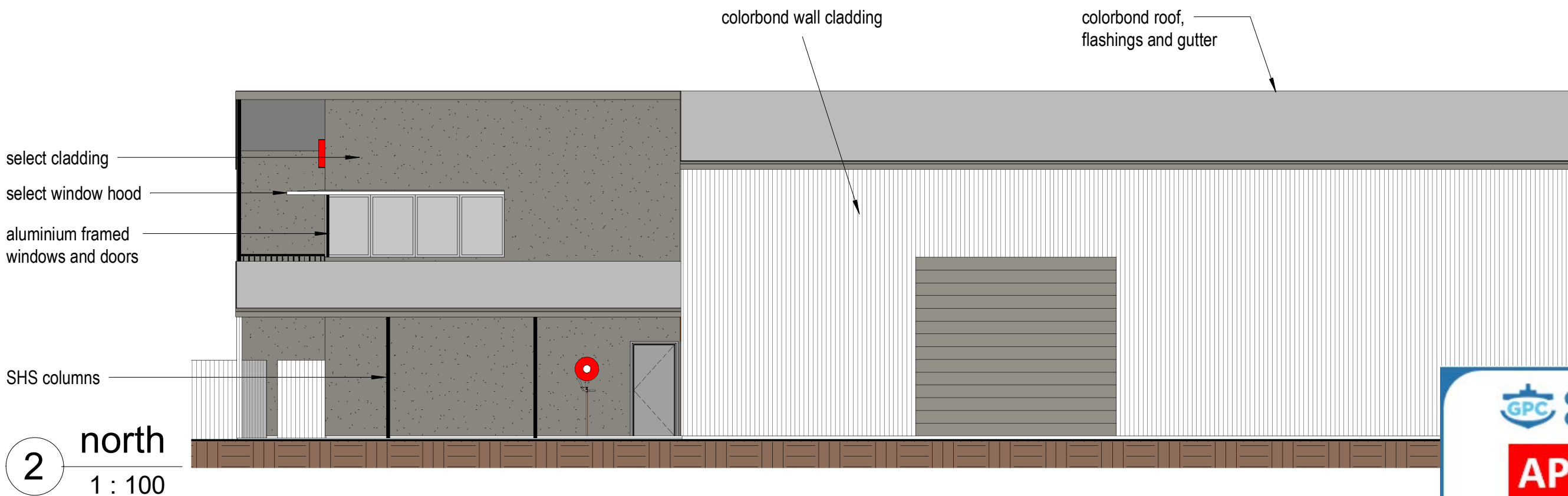
No.	Description	Date
1	PRELIMINARY-not for construction	28/11/21
A	CONSTRUCTION	15/12/21

A104

Scale at A3 1 : 100



Amendments subject to conditions of this approval. As amended 27.04.22



GPC Gladstone Ports Corporation

APPROVED

Name: Erin Clark
Date: 10:25am 29/04/2022



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Proposed Development for W. Daly
at 215 Alf O'Rourke Drive
GLADSTONE Q.

ELEVATIONS

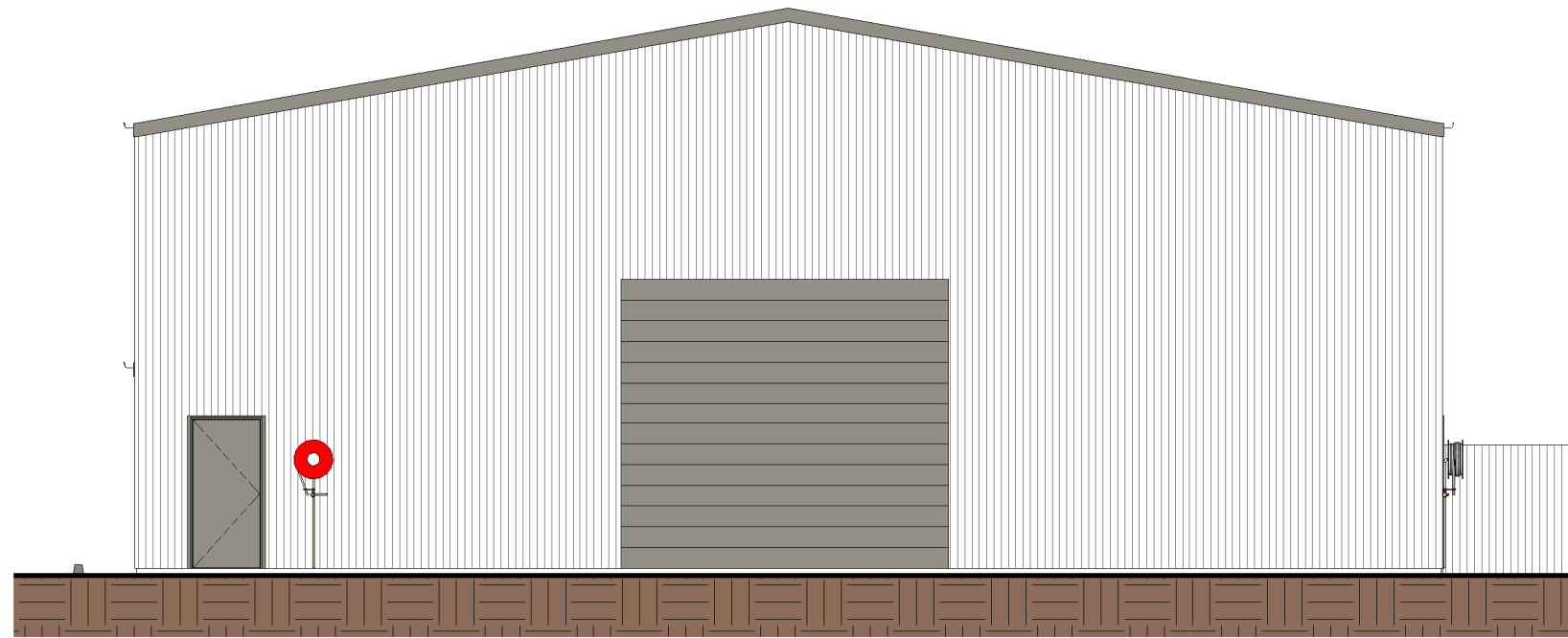
Project no: 10903 Date: NOV 2021

No.	Description	Date
1	PRELIMINARY-not for construction	28/11/21
A	CONSTRUCTION	15/12/21

A105
Scale at A3 1 : 100

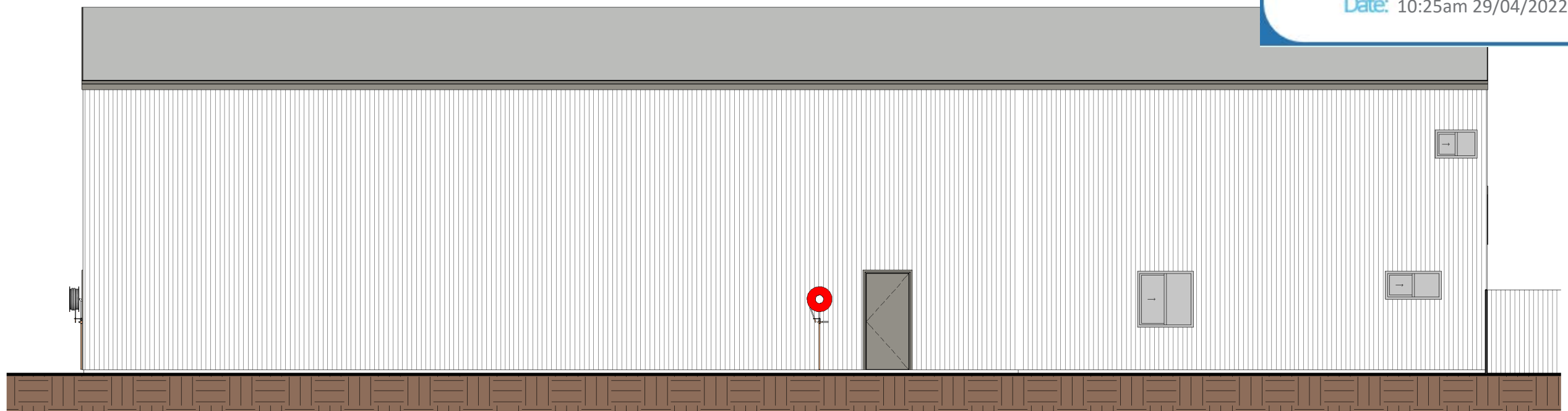
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1/04/2022 12:38:11 PM



1 west
1 : 100


Gladstone Ports Corporation
APPROVED
 Name: Erin Clark
 Date: 10:25am 29/04/2022



2 south
1 : 100



design and drafting pty ltd

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 abcc: 1230821 abn: 63 156 503 383 acn: 156503383

Proposed Development
 for W. Daly
 at 215 Alf O'Rourke Drive
 GLADSTONE Q.

ELEVATIONS

Project no: 10903 Date: NOV 2021

No.	Description	Date
1 A	PRELIMINARY-not for construction CONSTRUCTION	28/11/21 15/12/21

A106

Scale at A3 1 : 100

WIND CLASSIFICATION

CLASSIFIED IN ACCORDANCE WITH AS4055

REGION:	"C"	C2
TERRAIN CATEGORY:	2.5	
SHIELDING:	PS	
TOPOGRAPHY:	TO	

GENERAL

VERIFY ALL DIMENSIONS ON SITE BEFORE STARTING WORK ALL DIMENSIONS ARE IN MILLIMETRES AND WRITTEN DIMENSIONS TO HAVE PREFERENCE OVER SCALED DIMENSIONS.

CONSTRUCTION METHODS AND MATERIALS ARE TO BE IN ACCORDANCE WITH THE 'NATIONAL CONSTRUCTION CODE', 'THE QUEENSLAND DEVELOPMENT CODE' AND 'STANDARD BUILDING REGULATIONS'.

TIMBER FRAMING TO BE AS PER 'THE TIMBER FRAMING CODE' AS1684.

ROOF SHEETING IS TO BE FIXED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.

REFER TO ENGINEERS DETAILS FOR FOOTING AND SLAB DESIGN.

ALL WC DOORS THAT OPEN INWARDS ARE TO HAVE LIFT OFF HINGES.

TIE DOWN FIXINGS ARE IN ADDITION TO NOMINAL NAILING.

SITE PLAN BOUNDARY CLEARANCES SHOWN ARE TO BE OUTSIDE FACES OF FASCIA OR BARGE.

TERMITE RISK MANAGEMENT

PROVIDE TERMITE TREATMENT IN ACCORDANCE WITH AS3660.1 "PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES" & THE 'NATIONAL CONSTRUCTION CODE'.

DRAINAGE AND STORMWATER

DOWNPIPES - 100 x 75 OR 90mm DIAMETER.

STORM WATER PIPES - 90mm DIAMETER. AT MIN 1:100 GRADIENT

EAVES GUTTERS ARE TO BE FIXED WITH A 1:500 MIN. GRADIENT AND TO BE SUPPORTED BY BRACKETS SECURELY FIXED AT STOP ENDS AND AT NOT MORE THAN 1200 CRS.

ROOF CATCHMENT AREA per 90mm DOWNPIPE - 40 sq.m
12m max. SPACING FOR DOWNPIPES

THE FINISHED SURFACE SURROUNDING THE BUILDING IS TO BE DRAINED TO MOVE SURFACE WATER AWAY FROM THE BUILDING AND GRADED TO GIVE A SLOPE OF NOT LESS THAN 50mm OVER THE FIRST 1m FROM THE BUILDING.

WET AREAS

WATER PROOFING OF WET AREAS IS TO BE IN ACCORDANCE WITH THE NCC AND AS3740

SPLASH BACKS TO BATHS, BASINS AND SINKS TO BE 150mm MIN.

SPLASH BACKS TO SHOWERS TO BE 1800mm MIN.

CLADDING

ROOF AND WALL CLADDING IS TO BE INSTALLED IN ACCORDANCE WITH THE NCC AND THE RELEVANT MANUFACTURERS SPECIFICATION.

WALL, FLOOR and ROOF FRAMING

TO MANUFACTURERS/ENGINEERS DETAILS

BALUSTRADES (if required)

BALUSTRADE REQUIREMENTS ARE TO BE IN ACCORDANCE WITH THE NCC.

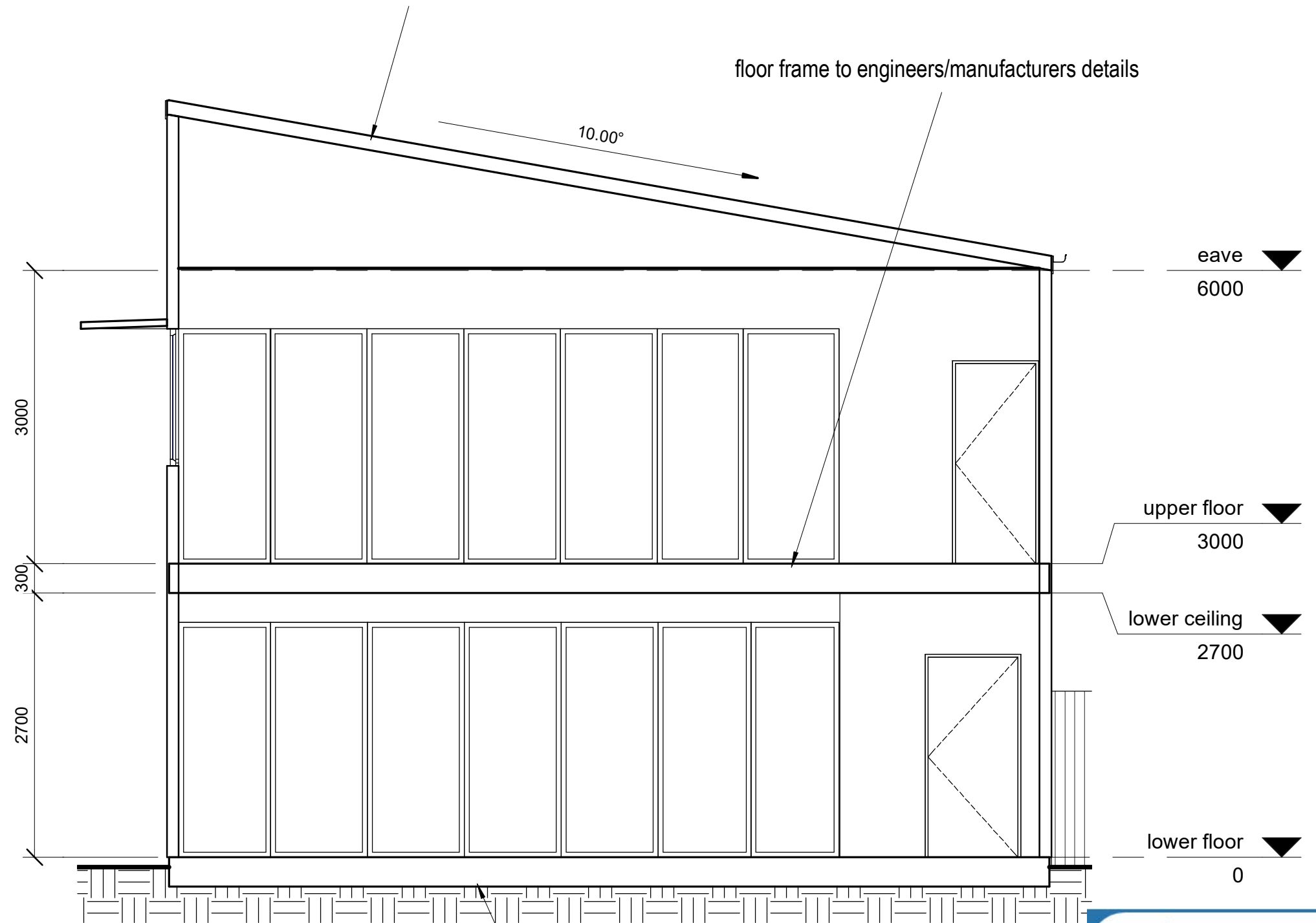
OPENINGS IN BALUSTRADES SHALL NOT PERMIT A 125mm SPHERE TO PASS THROUGH.

THE HEIGHT SHALL NOT BE LESS THAN 1000mm ABOVE THE LEVEL OF ANY PATH, BALCONY OR LANDING AND 865mm ABOVE THE FINISHED LEVEL OF NOSINGS OF STAIR TREADS OR THE FLOOR OF A RAMP.

FOR FLOORS MORE THAN 4m ABOVE THE GROUND ANY HORIZONTAL ELEMENTS BETWEEN 150mm & 760mm ABOVE THE FLOOR MUST NOT FACILITATE CLIMBING.

roof and wall frames to engineers/manufacturers details

floor frame to engineers/manufacturers details



1 section
1 : 50

GPC Gladstone Ports Corporation

APPROVED

Name: Erin Clark
Date: 10:25am 29/04/2022



design and drafting pty ltd

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NOTES & SECTION

Project no: 10903 Date: NOV 2021

No.	Description	Date
A	CONSTRUCTION	15/12/21

A107

Scale at A3 As indicated

Attachment 3 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.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul 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	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>
<p>2. Change applications</p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

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)
<p>1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>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</p>
<p>3. Extension applications For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or (b) a deemed refusal of the extension application.</p>			

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)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect ‘use category’, under a regulation, to the development <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(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.</p>			

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	—	—
<p>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.</p>			
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	—	—
<p>6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.</p>			
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			
<p>1. Appeals from tribunal</p> <p>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—</p> <p>(a) an error or mistake in law on the part of the tribunal; or</p> <p>(b) jurisdictional error.</p>			
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	—	—
<p>2. Eligible submitter appeals</p> <p>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—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
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>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>

**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	—	—
<p>5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>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</p>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
<p>6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

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			
<p>1. Building advisory agency appeals</p> <p>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.</p>			
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	<p>1 A concurrence agency for the development application related to the approval</p> <p>2 A private certifier for the development application related to the approval</p>

Table 3 Appeals to a tribunal only			
<p>2. Inspection of building work</p> <p>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.</p>			
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	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against—</p> <p>(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</p> <p>(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.</p>			
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	—	—
<p>4. Local government failure to decide application under the Building Act</p> <p>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.</p>			

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	—	—
<p>5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>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.</p>			
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	—	—