

#1641762

12 May 2022

Gladstone Ports Corporation c/- Lewis McKee 45 Wharf Drive Bundaberg QLD 4670

Dear Mr McKee

DECISION NOTICE - APPROVAL WITH CONDITIONS - DA2022/04/01

(GIVEN UNDER SECTION 63 PLANNING ACT 2016 AND THE PROVISIONS OF PORT OF BUNDABERG LAND USE PLAN 2020)

1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **25 March 2022**.

Application Number:	DA2022/04/01
Applicant Name:	Gladstone Ports Corporation
Applicant Contact Details:	Gladstone Ports Corporation c/- Lewis McKee 45 Wharf Drive Bundaberg QLD 4670 Email: mckeel@gpcl.com.au
Approval Sought (Land Use Plan):	 Operational work for Engineering work associated with road intersection upgrade
Location Street Address:	45 Wharf Drive BURNETT HEADS QLD 4670
Location Real Property Description:	Part of Lot 501 on SP279707
Land Owner:	Gladstone Ports Corporation Limited
Land Use Plan Precincts:	Strategic Port Land – Light Industry & Innovation Precinct
Local Government Area:	Bundaberg

2. Details Of Proposed Development

The development is described as:

1. Operational work for Engineering work associated with road intersection upgrade



The development includes road reconstruction works on Wharf Drive to improve the aesthetics of the Ports main entrance point, in addition to facilitating pavement, services and drainage improvements to the area which is currently in an aging and deteriorated state.

3. Details Of Decision

This development application was decided on 12 May 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) Operational works for Engineering works not associated with a material change of use (*Planning Regulation 2017* reference Schedule 10, part 13, division 5, subdivision 1)

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 relevant Building and Plumbing works

7. 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:	Aspect of development: Operational works					
Wharf Drive Entrance Reconstruction Title Sheet	Gladstone Ports Corporation	04/02/2022	955-00008	0	-	



Wharf Drive Entrance Reconstruction General Notes	Gladstone Ports Corporation	04/02/2022	955-00009	0	-
Wharf Drive Entrance Reconstruction Intersection Detail	Gladstone Ports Corporation	04/02/2022	955-000010	0	-
Wharf Drive Entrance Reconstruction Set Out Detail	Gladstone Ports Corporation	14/02/2022	955-00011	1	-
Wharf Drive Entrance Reconstruction Levels and kerb Detail	Gladstone Ports Corporation	04/02/2022	955-00012	0	-
Wharf Drive Entrance Reconstruction Line Marking and Signage	Gladstone Ports Corporation	04/02/2022	955-00013	0	-
Wharf Drive Entrance Reconstruction Water Main	Gladstone Ports Corporation	04/02/2022	955-00014	0	-
Wharf Drive Entrance Reconstruction Detour and Temporary access	Gladstone Ports Corporation	14/02/2022	955-00015	0	-

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 all other approvals other than a Material Change of Use or Reconfiguring a Lot, the approval lapses if the development does not substantially start within 2 years of this approval taking effect.

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 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

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 – Operational work

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. Upon completion of the works, 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.

Infrastructure

- 8. 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 Bundaberg Regional Council, as applicable.
- 9. Upon completion of the works, appropriate reconnection of all infrastructure affected by the works must be undertaken to the satisfaction of, the Assessment Manager and the Bundaberg Regional Council, as applicable.



10. All proposed road works, and associated site works, must be undertaken in accordance with the provisions of the *Transport, Access and Car Parking Guideline* (at all times) and the *Capricorn Municipal Design Guidelines* (as applicable).

Lighting

- 11. 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.
- 12. All outdoor lighting must be designed and installed 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.

Construction Management

- 13. 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.
- 14. Prior to 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.
- 15. The TMP must comply with the Manual of Uniform Transport Control Devices (MUTCD).
- 16. 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.
- 17. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of development.
- 18. 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.
- 19. 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).
- 20. Any construction fill material used must be uncontaminated and reused from onsite or sourced from a licensed quarry.
- 21. Upon completion of the works, the proponent must lay turf (or appropriate vegetation cover) within disturbed areas within the development footprint.

Waste management

- 22. 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.
- 23. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the storage site, on port roads 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

Construction Environmental Management Plan

24. Prior to construction works commencing on site, a 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:

- 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.

Incident notification

- 25. 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.
- 26. Environmental incident notification must be included in any Environmental Management Plans for the premises/development.

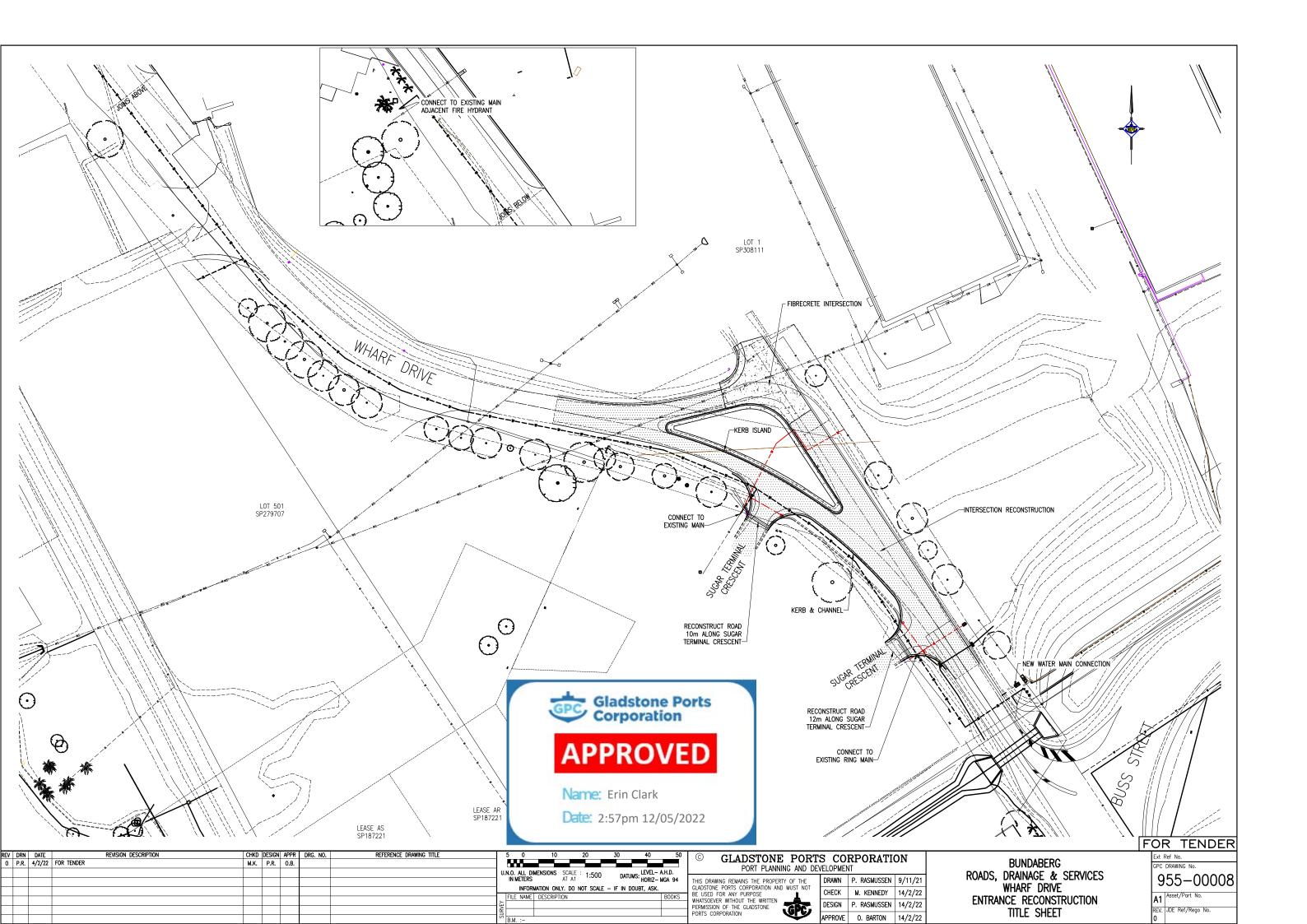


Part 1b: ADVICE NOTES

- 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. 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.
- 4. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
- 5. 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.
- 6. 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.



Approved Plans and Specifications Attachment 2



GENERAL

- All construction work shall be carried out in accordance with the relevant CMDG Construction Specifications and Standard Drawings unless noted otherwise in the Scope of works or Construction
- Drawings.

 Where relevant, these drawings are to be read in conjunction with all relevant authorities' Planning Scheme Policies and/or guidelines.
- G.3 All construction work shall comply with all conditions listed in all relevant approvals. This includes but is not limited to the development approval, operational works approvals, build over nfrastructure approvals, referral agency approvals or any other
- authority approvals relevant to the works.

 These notes apply to all drawings in this set.

 The Contractor shall be responsible for setting out all infrastructure.

 Electronic set out data is available on request of the Contractor.
- Electronic data is not in a format suitable for machine control and will require converting to the appropriate format by a suitably
- The Contractor shall comply with all workplace health and safety
- G.9. The Superintendent shall require a minimum of 24 hours' notice for
- G.10 The Contractor shall prepare any necessary Traffic Management Plan in accordance with Manual of Uniform Traffic Control Devices or other relevant standards and must provide all signage and delineation as required.
- G.11 The Contractor shall obtain any necessary temporary road closure permit(s) from the Relevant Authorities. This includes but is not limited to Council and/or Transport Main Roads and Queensland Police service, before commencing works.

 G.12 Requests for use of alternative products or materials must be
- submitted to the Superintendent for approval. The Superintendent is to approve the alternative products or materials prior to ordering
- G.13 All costs associated with the review of alternative products or
- materials shall be bourne by the Contractor.

 G.14 All dimensions are in metres unless noted otherwise.

- The Contractor shall contact Dial Before You Dig on 1100, and apply for a Permit to Excavate from GPC prior to commencing any works. The Contractor shall confirm the location and level of all existing
- infrastructure prior to commencing any construction works or ordering any materials. This may require additional potholing or service location at the Contractor's expense, submission of the location data to the Superintendent is a hold point.
- The Contractor shall confirm the location, level, material and condition of all works connection points prior to commencing any construction works or ordering any materials. Connection points include but are not limited to stormwater, sewerage, water and road connection points. The cost of all location works is to be at the Contractors expense.
 In some instances, services may be omitted from these drawings
- while all due care is taken in confirming the location of existing services, it is the Contractor's responsibility to confirm the location of all services, whether shown on the plan or not.
- The Contractor is responsible for arranging the location of all services with the relevant service providers.
- Any works required to or near a service, shall be carried out to the approval of, under the supervision of, and to the standard required
- by the service provider. Any costs shall be bourne by the Contractor. Should existing invert levels or locations of any existing infrastructure (including connection points) differ to that indicated on these drawings then the Superintendent shall be notified immediately. The Contractor shall not proceed without direction from the
- The contractor shall be responsible for the cost of protecting and reinstating any of the existing services which may be uncovered modified or damaged during the works.

- R.1 Refer to the asphalt/bitumen pavement design table on the
- pavemaent design plan(s) for pavement profile details.

 Proof rolls are to be carried out using a truck loaded to a minimum
- R.3 Typically, all new roadworks shall be matched smoothly and neatly

R.4 The use of subarade stabilisation techniques is not permitted without

FLEXIBLE GRANULAR PAVEMENT

- R.5 Note that the depth of pavement is provisional with the final depth to be determined after the Contractor submits results from soaked CBR testing to the Superintendent prior to proof rolling the subgrade
- R.6 A prime and seal coat is required on the base course surface before any asphalt is applied. Primer grade and application rates, aggregate size and spread rates are to be confirmed with the Superintendent prior to application.
- R.7 The use of granular pavement stabilisation techniques is not permitted without the prior approval from the Superintendent.

CONCRETE PAVEMENT

- Refer to the concrete pavement design table on the pavement design plan(s) for concrete details and design methodology.

 all workmanship shall be in accordance with AS3600 except where
- varied by relevant authorities' methods, drawings and specifications.
- All reinforcement shall be firmly supported on concrete chairs at no less than 800mm centres each way.
- Bars shall be tied at alternate intersections.
- All saw cuts, dowel joints and construction joints shall be as shown on plan. Any change to this layout shall be to the approval of the Superintendent.
- All concrete shall be compacted with mechanical vibrators.
- Concrete is to be cured and stripped in accordance with AS3600
- C.8 Concrete shall not be delivered until the formwork and reinforcement

Kerb and Channel. Semi-mountable kerb and inverts shall be constructed in accordance with CMDG drawing CMDG-R-060 unless approved otherwise by the Superintendent

CONTROL OF SEDIMENT

- The sediment and erosion management of the site during construction, it's surroundings, the transportation and deposition of silt is the responsibility of the Contractor.
- The Contractor shall be responsible for the protection of the public infrastructure network from sediment. All drainage lines, roads and public infrastructure shall be cleaned of all sediment and debris prior to an on maintenance inspection.
- S.3 Any erosion and sediment control measures shown within the documentation is for the completed works and is conceptual only The Contractor is responsible for implementing an maintaining any erosion and sediment control measures that are necessary for the site in accordance with IECA.
- The Contractor shall engage a suitably qualified person to prepare a certified erosion and sediment control plan with relevant design certificates to cover all works activities in accordance with IECA. A suitably qualified person may be a CPESC (Certified Professional in Erosion and Sediment control), RPEQ or as otherwise specified by the
- relevant authority.

 The Contractor is responsible for monitoring and rectification of all erosion and sediment control measures during construction and the defects and liability period.
- It is the contractor's responsibility to comply with all statutory requirements, environmental guidelines and relevant authority requirements relating to erosion and sediment controls at all times
- during the construction period.

 All disturbed areas shall be stabilised at the end of the construction works. Stabilisation costs are to be borne by the Contractor as part of the overall sediment and erosion control measures for the works.
- The Contractor is to implement suitable dust control measures at al

TENDERING

- These plans shall be read in conjunction with any relevant
- specification, bill of quantities and reports.

 The Contractor shall notify the Superintendent of any discrepancies in
- the documentation package immediately. The Contractor shall be deemed to have carefully examined the drawings, specifications, schedule of rates, conditions of tendering,
- arowings, specifications, schedule of rates, conditions of tendering, the general conditions and standard specifications.

 The Contractor shall be deemed to have fully informed themselves as to the site, levels, quantities involved, rock conditions at the site, uncertainties of climatic conditions, variations in discharge of rivers and streams, water supply, facilities for handling and storing materials, transportation facilities, availability of labour, materials and all other matters and conditions whatsoever effecting the carrying out of the works and to have himself formulated an estimate of facilities available and needed.
- where a bill of quantities is supplied for tendering, this is an estimate of the quantities only. The Contractor is deemed to have undertaken their own take off of the works during the tendering phase. The total cost of the tender price submitted by the Contractor is deemed to include all works, services, temporary works and other incidentals necessary for the proper construction of the works. if an item or quantity is not included in the bill of quantities the cost to complete the construction of that item or quantity is considered to be distributed among the other items within the bill of augntities and is deemed to be included in the total tender price

VERIFICATION

- The Contractor shall commission a suitably qualified Surveyor to maintain accurate records of levels and locations of all infrastructure to fully comply with the relevant authorities' as constructed information requirements.
- The Contractor shall commission a NATA registered geotechnical the contractor shall commission a wark registered geotechnical testing authority to carry out compaction testing of all pavements and excavations in accordance with AS3798. All test results must be submitted to the Superintendent prior to the request of an on maintenance inspection with the Relevant authority and/or certification
- V.3 It i the Contractor's responsibility to fully inform themselves of all relevant authority requirements for as constructed and quality information and submit that information to the Superintendent
- V.4 All defects are to be rectified by the Contractor, at their cost, prior to the on maintenance inspection with the relevant authority.

WATER MAIN

- Works will be executed in accordance with CMDG Water Supply
- Network D11 design Guidelines, Specifications and GPC requirements Unless specified otherwise all materials and work shall comply with the relevant Australian Standards
- Confirm connection levels and location to existing water main prior to commencing excavation.
- The construction of the water reticulation must be supervised by an Engineer who has relevant RPEQ Registration.

 All works to be carried out by a qualified contractor
- All pipes and materials shall comply with requirements of the CMDG Purchase Specifications listed in Annexure D11B.
- All new reticulation works require bacterial and pressure testing prior to live connecton.
- Handling of Asbestos Cement Pipe shall be carried out in accordance with Work Health and Safety (WH&S) Act 2011, The WH&S Queensland Code of Practice and GPC Requirements as a minimum.
- Bacteriological and pressure testing are required on all new mains following satisfactory swabbing/flushing in accordance with the CMDG water supply network D11 Design Guidelines Annexure D11.
- W.10 Pressure testing shall not be carried out in wet weather unless
- w.10 Pressure testing shall not be curried out in the woodle content of the water service provider.

 W.11 All pavement markers shall comply with the CMDG specification for pavement markings C261.
- W.12 Kerb painting (White-valves, Yellow-hydrants), for identification of valves and hydrants, is to be provided in location perpendicular to the asset. Painted area is to be 300mm wide.
- N.13 In areas with sealed pavements, Fire hydrants, Sluice valves, Air valves and Scour Valves adjacent to roads shall be provided with Reflective Markers in accordance with CMDG Standard drawings. Valves and hydrants to be installed in accordance with Std. Dwg.
- CMDG-W-060 and to comply with the CMDG purchase specifica listed in Annexure D11B.
- W.15 Hydrant and Valve Boxes shall be an approved Cst Iron (Trafficable areas) and pre-cast concrete surround or polyetylene (box and surround)(other areas). The surrounds are to befinished at ground surface level, refer CMDG Standard Drawing CMDG—W—061. Materials used are to be in accordance with CMDG purchase specifications
- Appendix B. W.16 Covers shall be finished flush with the surface in roadways, footpaths and paved surfaces. Elsewhere, covers shall be finished 25mm above the surface of the ground, to avoid the entry of surface water.
- The minimum clearance to existing services is to be in accordance with the CMDG water supply network D11 design guidelines.
- The Contractor shall obtain prior approval for any minor deviations required to avoid existing services
- Pressure & bacterial testing to be carried out in accordance with CMDG water supply network D11 guidelines.
- Pipelines shall not be constructed in uncontrolled fill. Certificates shall be provided certifying the fill is controlled fill compacted to a density no less than 955 of its standard maximum dry density, in accordance with A.S. 1289.5.1.1
- P.5 All flanges must be PN16 and in accordance with AS4087 unless noted otherwise. Flanges are to be in accordance with the CMDG purchase specifications listed in annexure D11B.
- Pipe bedding shall be coarse bedding sand or other Local
- Government approved source. Minnimum depth of cover to water mains to be 900mm for road pavements and 600mm elsewhere.
- Pipe, marking and sleeving colour shall be blue.

 All ductile iron pipes and fittings shall be wrapped, tapped and sealed completely with polyethelyne sleeving 0.25mm thick. Sleeving material shall be in accordance with the CMDG purchase specifications listed in annexure D11B.
- P.10 DICL pipes and non-flanged fittings must bePN35 and comply with AS 2280. Fittings are to have a pressure rating of 1200kPa working
- pressure. P.11 Place detectable marker tape in trench approx. 300mm above pipe THRUST & ANCHOR BLOCKS
- Provide anchor 7 thrust blocks in accordance with CMDG water supply D11 design guidelines, concrete thrust blocks to be constructed in accordance with CMDG-W-041.
- The bearing face of the thrust restraint must be cast against
- unaisturbea ground. Concrete must not spill over socket joints or flanges. The pressure testing shall not be commenced earlier than seven days after the last concrete thrust or anchor block in the section ha
- Concrete works shall comply with the CMDG standards. A mir concrete grade N25 to be used.
- A.6 The Contractor shall confirm bearing capacity prior to constru



APPROVED

Name: Erin Clark

Date: 2:57pm 12/05/2022

CHKD DESIGN APPR M.K. P.R. O.B. REFERENCE DRAWING TITLE REV DRN DATE

0 P.R. 4/2/22 FOR TENDER J.N.O. ALL DIMENSIONS SCALE : 1:100 DATUMS: LEVEL- A.H.D.
IN METERS AT A1 INFORMATION ONLY. DO NOT SCALE - IF IN DOUBT, ASK.

GLADSTONE PORTS CORPORATION PORT PLANNING AND DEVELOPMENT

HIS DRAWING REMAINS THE PROPERTY OF THE GLADSTONE PORTS CORPORATION AND MUS BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN (PC) PERMISSION OF THE GLADSTONE PORTS CORPORATION

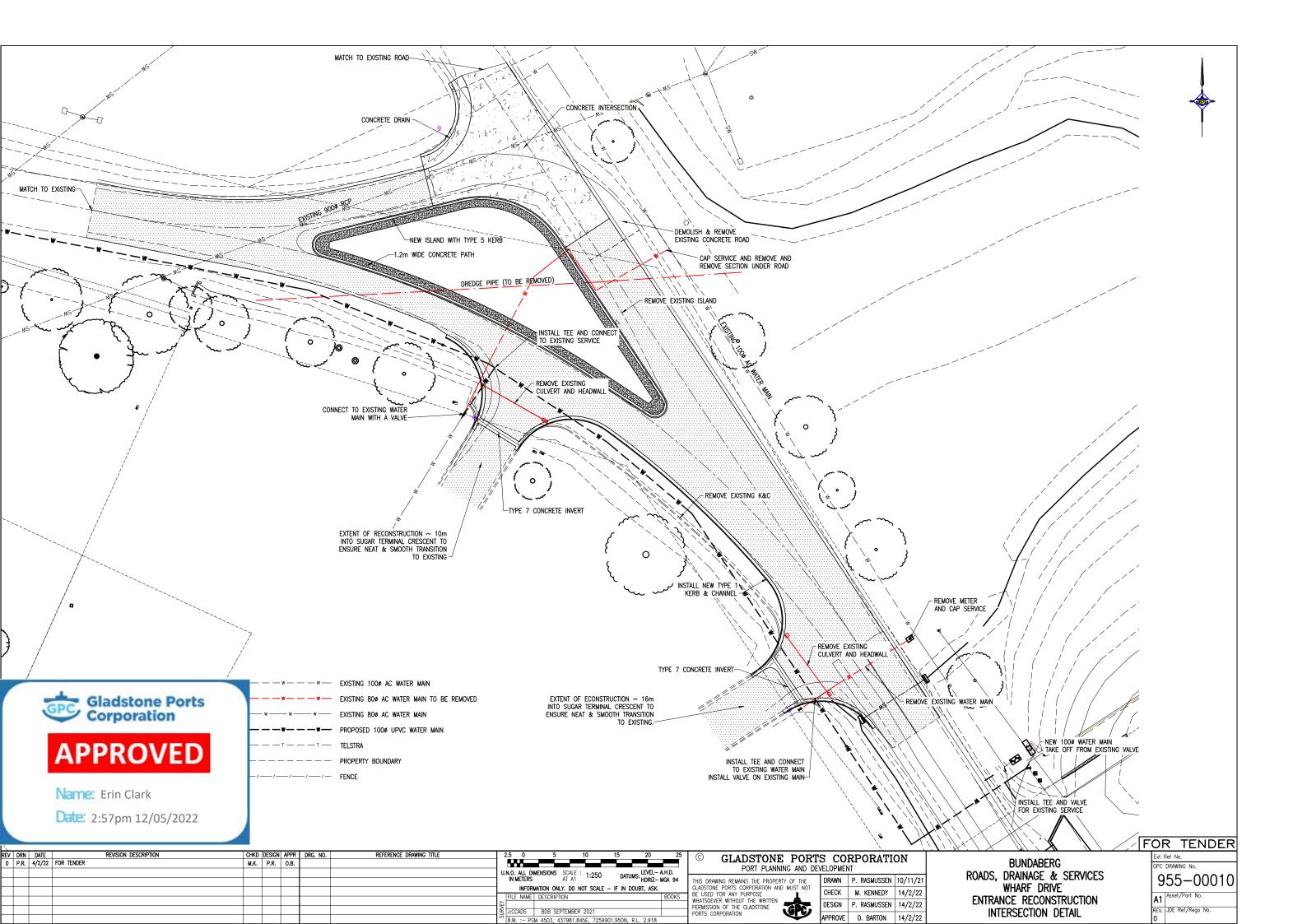
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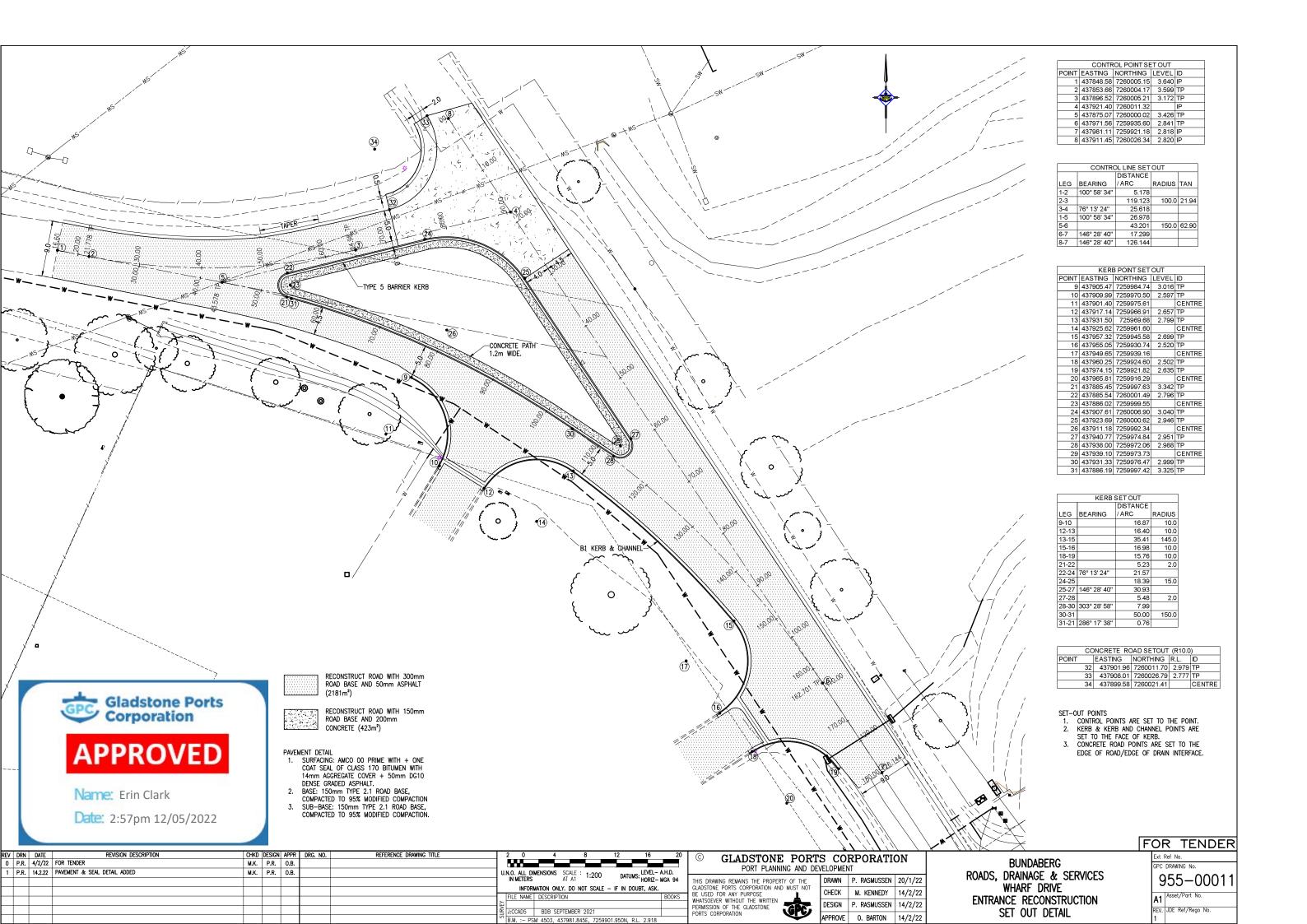
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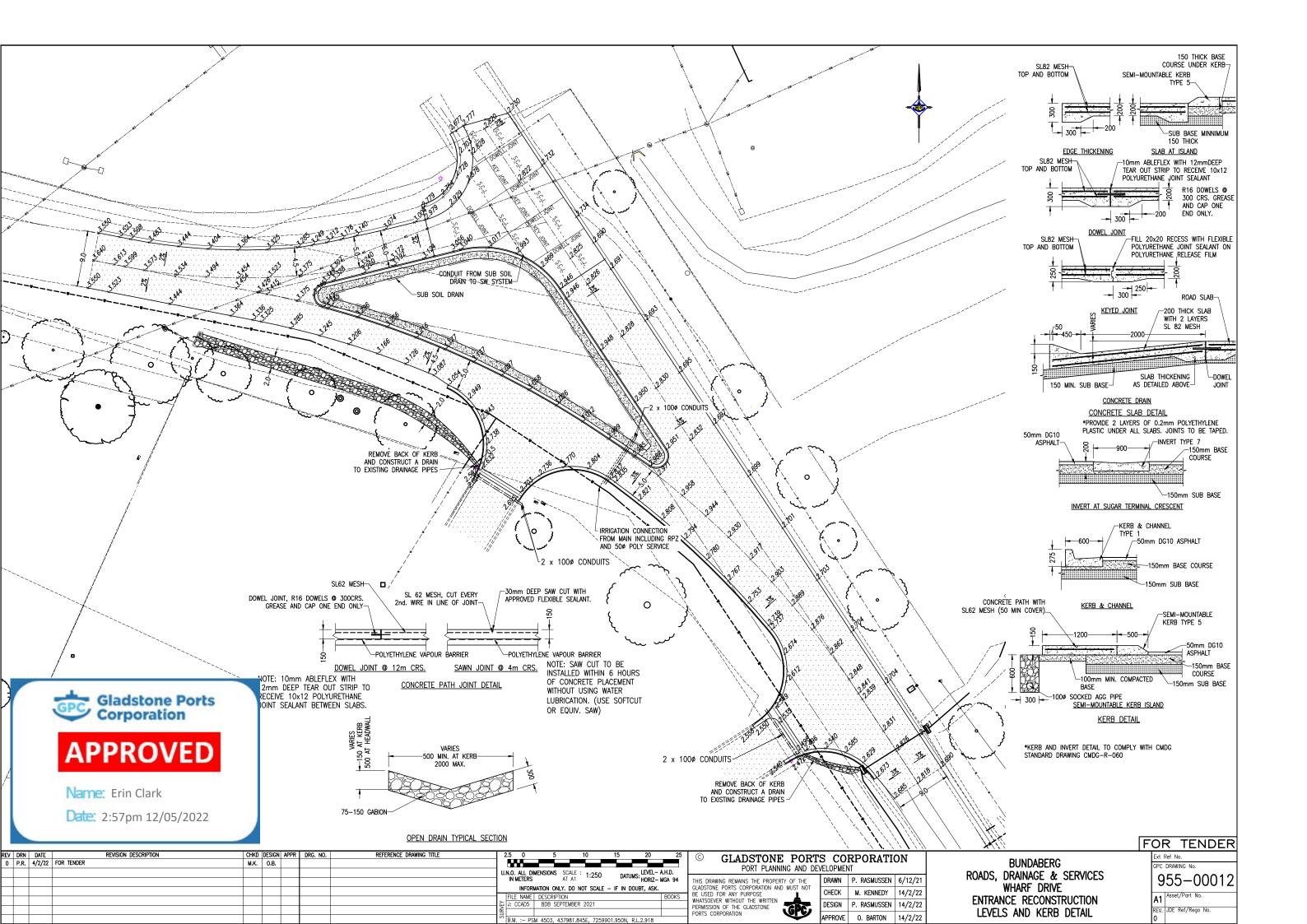
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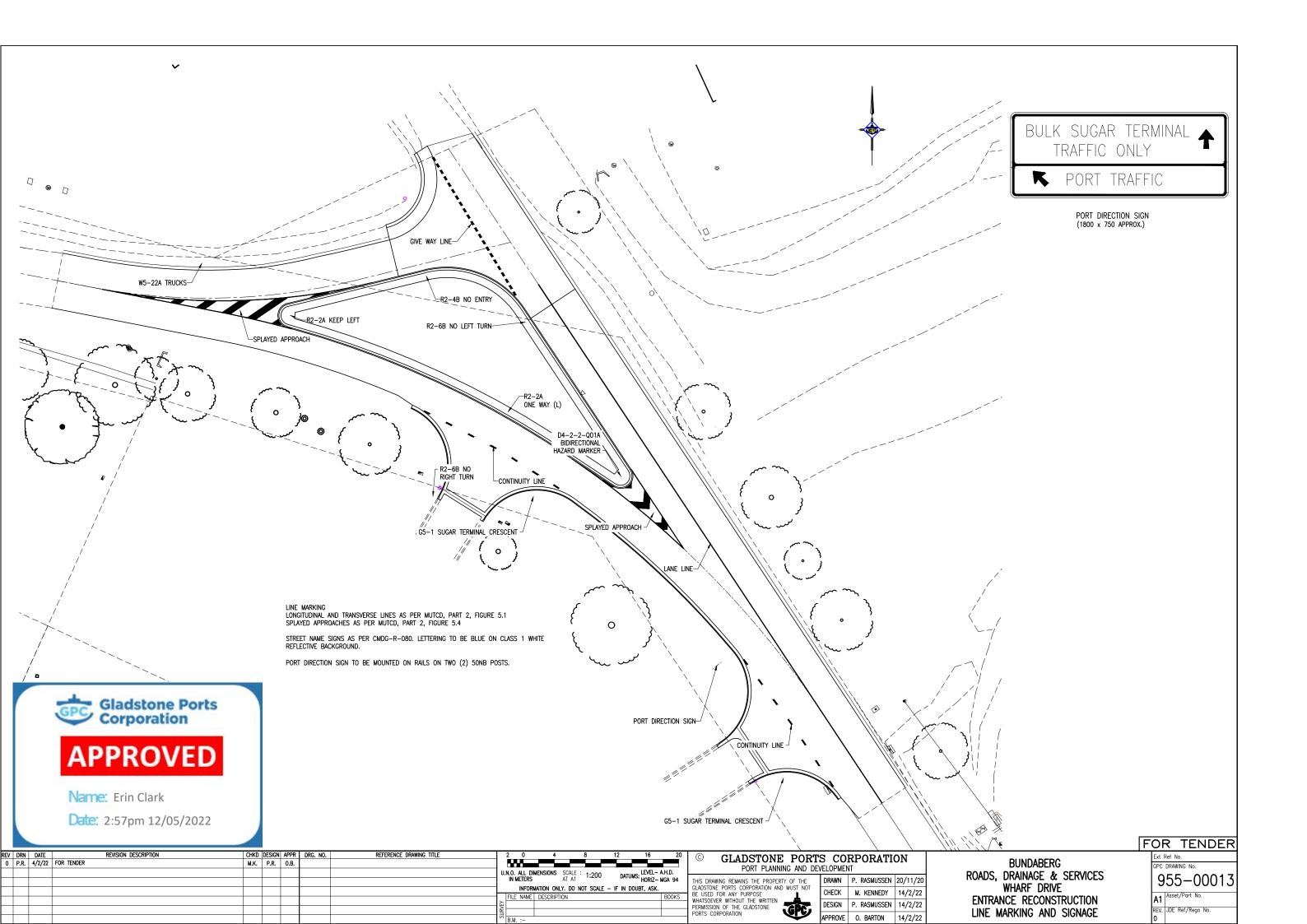
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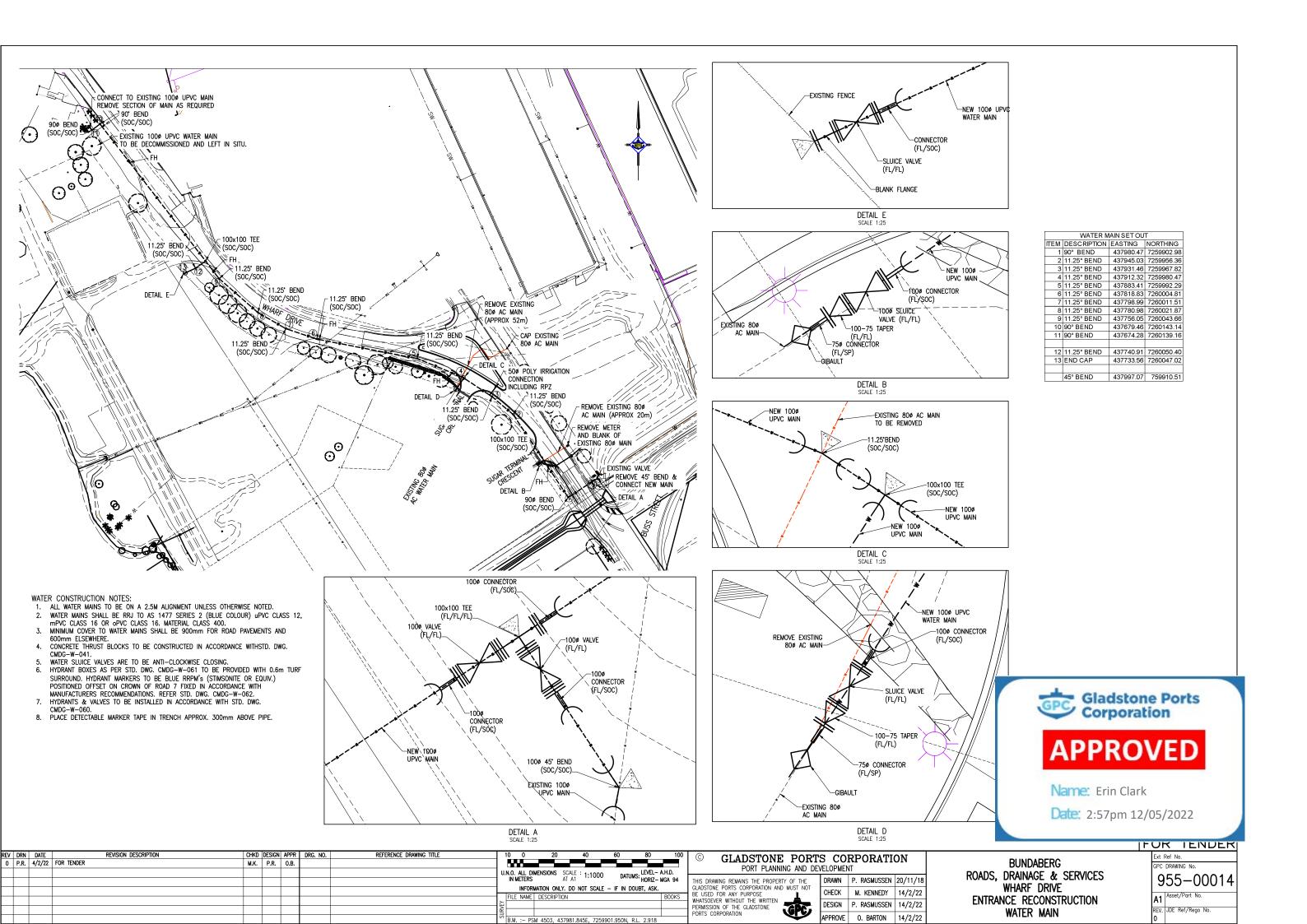
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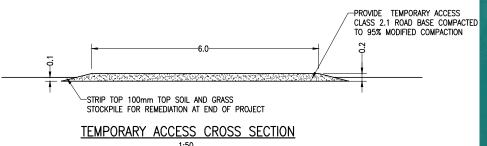












PROVIDE DRAINAGE PIPE IN EXISTING LOW POINT PROVIDE DRAINAGE PIPE IN EXISTING LOW POINT REMOVE EXISTING FENCE TO PROVIDE ACCESS REINSTATE AT END OF PROJECT DETOUR AND TEMPORARY ACCESS

PROPOSED DETOUR AROUND JOB SITE

 REV
 DRN
 DATE

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 P.R.
 14/2/22
 FOR TENDER



Name: Erin Clark

Date: 2:57pm 12/05/2022

U.N.O. ALL DIMENSIONS SCALE : 1:2000 DATUMS: LEVEL - A.H.D.
IN METERS AT AT AT
INFORMATION ONLY. DO NOT SCALE - IF IN DOUBT, ASK.

FILE NAME DESCRIPTION

BOOKS

BLM. :-

GLADSTONE PORTS CORPORATION
PORT PLANNING AND DEVELOPMENT

THIS DRAWING REMAINS THE PROPERTY OF THE GLADSTONE PORTS CORPORATION AND MUST NOT BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF THE GLADSTONE PORTS CORPORATION

DRAWN P. RASMUSSEN 14/2/22

CHECK M. KENNEDY 14/2/22

DESIGN P. RASMUSSEN 14/2/22

APPROVE 0. BARTON 14/2/22

BUNDABERG
ROADS, DRAINAGE & SERVICES
WHARF DRIVE
ENTRANCE RECONSTRUCTION
DETOUR AND TEMPORARY ACCESS

FOR TENDER
Ext Ref No.
GPC DRAWING No.
955-00015

A1 Asset/Part No.
REV. JDE Ref/Rego No.



Extract of Appeal Provisions Attachment 3

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

1. Development applications

For a development application other than an excluded application, an appeal may be made against—

- (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.

Appeals	to the P&E Court an	Table 1 id, 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
The applicant	The assessment	If the appeal is about	any) 1 A concurrence
	manager	a concurrence agency's referral response—the concurrence agency	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					
Co	olumn 1	Column 2	Column 3	Column 4		
Ap	pellant	Respondent	Co-respondent	Co-respondent		
			(if any)	by election (if any)		
1 2	The applicant 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.

Appeals to	Tal the P&E Court and,	ble 1 for certain matters	s, to a tribunal
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	_	
5. Conversion applic	ations	5.3	· .
An appeal may be ma	ade against—		
(a) the refusal of a c	onversion application;	or	
(b) a deemed refusal	of a conversion applic	ation.	
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The applicant	The local government to which the conversion application was made		
6. Enforcement notice	ès		
An appeal may be ma	de against the decision	to give an enforcemen	nt notice.
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent (if any)	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	 For a development application—the assessment manager 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.

Co	olumn 1	Column 2	Column 3	Column 4
	pellant	Respondent	Co-respondent (if any)	Co-respondent by election (if any)
2	For a development application—an eligible submitter for the development application 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
3	An eligible advice agency for the development application or change application			

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	Column 2	Column 3	Column 4				
Appellant	Respondent	Co-respondent	Co-respondent				
		(if any)	by election (if				
			any)				
A person dissatisfied with the decision	The local government to which the claim was made	_	_				
5. Registered premise	es						
An appeal may be ma	de against a decision o	of the Minister under cl	napter 7, part 4.				
Column 1	Column 2	Column 3	Column 4				
Appellant	Respondent	Co-respondent	Co-respondent				
	1	(if any)	by election (if				
			any)				
1 A person given a decision notice about the decision	The Minister		If an owner or occupier starts the appeal—the owner of the registered				
2 If the decision is			premises				
to register premises or renew the registration of premises—an		**					
owner or occupier of premises in the affected area for the registered		W .					
premises who is dissatisfied with the decision							

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (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.

Schedule 1

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

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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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
- *0			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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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 *Plumbing and Drainage Act 2018*An appeal may be made against—
- (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 *Plumbing and Drainage Act 2018*, 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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
	8	(if any)	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 de Drainage Act 2018	ecision about an applica	ation or other matter un	der the <i>Plumbing and</i>
Drainage Act 2018, ot Commission to make a	her than a failure by the decision, within the p	make a decision under the Queensland Building period required under the	g and Construction hat 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		