

4 August 2022

Gidarjil Development Corporation
C/- Insite SJC, Shane Booth
PO Box 1688
Bundaberg QLD 4670

Via email: shane@insitesjc.com.au

Dear Mr Booth,

DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2022/11/01

(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 **10 June 2022**.

Application Number:	DA2022/11/01
Applicant Name:	Gidarjil Development Corporation
Applicant Contact Details:	Gidarjil Development Corporation C/- Insite SJC, Shane Booth PO Box 1688 Bundaberg QLD 4670 Via email: shane@insitesjc.com.au
Approval Sought (Land Use Plan):	Material Change of Use for Educational establishment and Transport Depot
Location Street Address:	5 Sugar Terminal Crescent 19 Wharf Drive (<i>also known as 45 Wharf Drive</i>) Bundaberg QLD 4670
Location Real Property Description:	Lease FB in Lot 501 on SP279707 Lease FA in Lot 1 on RP116854
Land Owner:	Gladstone Ports Corporation Limited
Land Use Plan Precincts:	Strategic Port Land – Light Industry and Innovation Precinct
Local Government Area:	Bundaberg Regional Council

2. Details Of Proposed Development

The development is described as:

1. Material Change of Use for Educational establishment and Transport Depot and ancillary activities.

The proposed development seeks to convert the existing dwelling and make use of the adjacent open area for the purposes of activities associated with the Sea Rangers. Gidarjil Development Corporation propose to design, construct and operate an educational and training facility.

The proposed training program is to include conservation management and ecosystem rehabilitations and related skills and projects including growing plants in greenhouses for rehabilitation/training projects, storage of a variety of goods, and storage and maintenance of vehicles, vessels, plant and machinery owned and operated by the Gidarjil Development Corporation. The development would also include ancillary and small scale emergency accommodation for participants in the program.

3. Details Of Decision

This development application was **decided** on **4 August 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 Educational establishment and Transport Depot and ancillary activities (*Planning Regulation 2017* reference Schedule 10, part 13, division 5)

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 Operational Works, that do not meet the requirements for 'Accepted, subject to requirements' development under the Port of Bundaberg Land use plan 2020 (or subsequent); and
- (b) Any relevant Building and Plumbing works.

7. Properly made submissions

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

8. Referral Agencies for the Application

The development application did not require referral.

9. 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 for Educational establishment and Transport Depot					
Site Plan	John Gatley Building Designs	24/05/21	Dwg No: 21686 Page 01	Draft 02	-
Upper Floor Plan	John Gatley Building Designs	24/05/21	Dwg No: 21686 Page 02	Draft 02	-
Lower Floor Plan	John Gatley Building Designs	24/05/21	Dwg No: 21686 Page 03	Draft 02	-
Elevations	John Gatley Building Designs	24/05/21	Dwg No: 21686 Page 04	Draft 02	-
Shade House Structure	John Gatley Building Designs	As Amended 03.08.2022	Dwg No: 21686 Page 03	Draft 02	-
Site Description (License Area – Access)	Insite SJC	As Amended 03.08.2022	GC20-443 – LIC FB1	-	-
Site Description (Lease Areas)	Insite SJC	As Amended 03.08.2022	Copy of registered plan SP324085 by Survey GC20-443-S01	-	-
Fencing and Landscaping locations	Applicant C/- Insite SJC	As Amended 03.08.2022	DA2022/11/01 – Plan 1	-	In accordance with relevant fencing and landscaping conditions

Container Footings	RMA Engineers	19/04/22	S-SK02-B	-	-
Greenhouse Footings	RMA Engineers	19/04/22	S-SK01-B	-	-

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.

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 – Material Change of Use on Strategic Port Land – Educational Establishment and Transport Depot

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 (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 review the drawings or documentation provided prior to the commencement of the development or works. Should further information be required for the review and approval, the Assessment Manager will require a further 5 business days to complete the response.

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.
5. 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.

ENGINEERING & PLANNING

6. 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.
7. Upon completion of the works, 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.
8. 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.
9. The applicant must notify the Assessment Manager of damage caused to any port infrastructure or services e.g. roads, water mains etc. as a result of this activity. The applicant may undertake the repairs directly in consultation with the Assessment Manager and

Bundaberg Regional Council (as applicable), however, depending upon the nature and location of the damage, the Assessment Manager retains the right to undertake the repairs at the expense of the proponent.

10. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of development.
11. Prior to the use commencing, an Emergency evacuation plan/ strategy must be developed and submitted to the Assessment Manager to ensure that any occupants or visitors to the approved uses are suitably warned and able to safely evacuate in the event of a flood event. This may also include the consideration of the protection of on-site equipment/ infrastructure.

Acid Sulphate Soils

12. In the event acid sulphate soils are disturbed/excavated and require treatment on site or any land owned by GPC, a site specific acid sulphate management plan, including treatment locality and volumes and disposal locality, must be submitted to the Assessment Manager for approval prior to such works commencing. Upon approval of the management plan, the works must be carried out in accordance with this plan and the plan will form part of the Approved plans.

Infrastructure

13. Prior to the commencement of the approved uses, provision of an adequate water connection to Gladstone Ports Corporations (GPC) existing water infrastructure is to be established 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.
14. 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.
15. Fire hydrants and boosters must be appropriately located and connected and associated building certification provided upon completion of construction.
16. Prior to the commencement of the use, the proponent is to ensure adequate capacity for the approved uses within the on-site sewerage infrastructure and provide confirmation to the Assessment Manager.

Traffic

17. A minimum of 3 car parks must be provided onsite at the approved Educational establishment use. Parking associated with the attendance at the approved Educational establishment use is not permitted on Sugar Terminal Crescent or property not subject to this approval. *Note: the parking areas within the approved Transport depot use may be utilised for this purpose.*
18. The car park pavement and vehicle access track (including the access track area outside of the lease FB area) 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, unless otherwise approved by the Assessment Manager. The following minimum pavement design requirements shall apply:
 - i. Unbound Gravel Pavement: 100mm minimum thickness (CBR 80).
 - ii. Pavement Seal: 1 coat 10mm bitumen primer seal.

19. Prior to the commencement of any works associated with the approved uses, submit to Assessment Manager, 'for construction' design drawings for the carpark and associated vehicle access areas including pavement/ surface and car stoppers.
20. A maximum of 25 vehicles are permitted to be stored onsite at the approved Transport Depot use.

Construction Management

21. At all times, placement of fill in a flood hazard area is not permitted as part of this approval.

Note: This approval relates to an MCU only. Any associated Operational works may be considered 'Accepted, subject to requirements', where the relevant provisions of the Port of Bundaberg Land use plan 2020 (or subsequent) can be met.

22. Upon completion of any construction works of the approved Transport Depot, the proponent must reinstate the property and associated access to Wharf Drive, to the same condition prior to the works being undertaken unless agreed to in writing by the Assessment Manager.
23. Prior to commencing works onsite, where construction activities are to be undertaken within a road reserve/corridor and/or have the potential to impact on road users (i.e. driveway entrance), a Construction Traffic Management Plan (CTMP) shall be developed by the proponent and submitted to the Assessment Manager (GPC) for approval. This TMP shall be developed in accordance with the requirements of Austroad's Guide To Temporary Traffic Management (AGTTGM) and where applicable, any amendments referenced in the Queensland Guide To Temporary Traffic Management (QGTTM).
24. 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 GPC Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.

Fencing

25. Install and maintain security fencing along external property boundaries of Lease FB, including the street frontage which allows for 2m wide landscaping in accordance with conditions of this approval. Fencing must be constructed of a minimum 2.0m high transparent black PVC plastic coated chain wire mesh with black posts, unless otherwise approved by the Assessment Manager.
Note: Fencing to the Wharf Drive frontage may be placed behind the landscaping strip, but both must be wholly within the lease boundary.
26. Install and maintain fencing along the side property boundaries of Lease FA. Fencing must be a minimum 1.8m high and provide screening to adjoining properties.

Hours of Operation and approved use

27. The hours for any construction related to the development (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.
28. Unless otherwise approved in writing by the Assessment Manager, hours of operation for the approved uses are limited to 7am to 7pm Monday to Friday and 7am to 12pm Saturday.
29. The greenhouse structure/s shown on the approved plans must be used in conjunction with the approved Educational establishment use. Commercial wholesale of the plants from this site as an independent activity is not permitted.
30. The premises must not be accessed by the public for the purpose of sales of good or services.

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

31. The Educational establishment use within Lease area FA must have a maximum of 10 students and educators on site at any one time.

Landscaping

32. 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.
33. Install and maintain landscaping 2 metres wide along the street frontage and side boundaries of the Lease Area FB as shown on the Approved plans. Landscaping must be inside the lease boundary. Species selection must be in accordance with the GPC's approved plant species list (within the LUP 2020) to reach a minimum 1.8m in height at maturity, with the provision of an appropriate irrigation system.
34. Prior to the first use commencing, formalised pedestrian access must be established between the approved uses and Lease Areas FB and FA. Any landscaping provided must allow for the movement between the two sites via the gate in the location shown on the approved plans.

Lighting

35. 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.
36. Lighting must be designed to facilitate a safe and secure parking area, lit to a standard appropriate for safe operations.
37. Any site lighting used during construction or operation, 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.
38. Proposed outdoor lighting must be designed and installed to minimise direct illumination of the adjacent waterways and minimise skyglow.

Signage

39. Prior to the use commencing, the applicant must supply to the Assessment Manager for review and approval any signage proposed to be installed on the premises.

Stormwater

40. Prior to the commencement of the use, a lawful point of discharge for storm water must be established, demonstrating no actionable nuisance.
41. Stormwater sheet flow is to be directed to existing drainage paths to the satisfaction of the Assessment Manager.

Waste management

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

43. 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.

ENVIRONMENT

Environmental Management Plan

44. Prior to construction works commencing on site, an Environmental Management Plan (EMP) specific to these works, is to be submitted to the Assessment Manager for approval.

The construction and operations must be undertaken in accordance with the approved EMP that ensures:

- a) environmental risks, including but not limited to, noise, waste, lighting, dust, are identified, managed and continually assessed in relation to the construction and operational activity ;
- b) that staff are trained and aware of their obligations under the EMP, including a copy of the management plan and development approval available on site at all times;
- c) that reviews of environmental performance are undertaken at least annually; and
- d) any amendments to the EMP are to be submitted to the Assessment Manager for review and approval.

Once approved by the Assessment Manager, the construction and operation activity must be carried out in accordance with this EMP.

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

Incident notification

45. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:
- a) release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land;
 - b) release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
 - c) any environmental complaints received by the holder of this approval; and
 - d) non-compliance with environment related conditions of this approval, or any other environmental approval obtained in relation to the approved activity.

Note: 'land' is to be defined as where not within a containment system.

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

Noise management

47. Noise levels from the use must achieve the acoustic environment and acoustic quality objectives for sensitive receiving environments set out in the *Environment Protection (Noise) Policy 2019*. In the event of a validated complaint about noise, if it is determined by the Assessment Manager that such noise levels exceed the minimum background noise levels, the proponent must at the request of the Assessment Manager prepare a Noise Management Plan which prescribes actions to be taken to reduce noise levels below the minimum background noise levels prescribed. The noise management plan must address at least, but not be limited to, the following matters:-

- a) identification of component noise sources and activities at the development which impact on noise sensitive places;
- b) the control or abatement measures that can be undertaken to reduce unreasonable noise levels; and
- c) the handling of noise complaints, community liaison and consultation and the training of staff in noise management practices.

Air Emissions Management

48. Dust levels from the use must achieve the airborne contaminants quality objectives for sensitive receiving environments set out in the *Environment Protection (Air) Policy 2019*. In the event of a validated complaint about dust or air emissions, if it is determined by the Assessment Manager that such air emission levels exceed the relevant air quality objective/s, the proponent must at the request of the Assessment Manager prepare an Air Emissions Management Plan which prescribes actions to be taken to reduce air emission levels below the prescribed objectives. The air emissions management plan must address at least, but not be limited to, the following matters:-

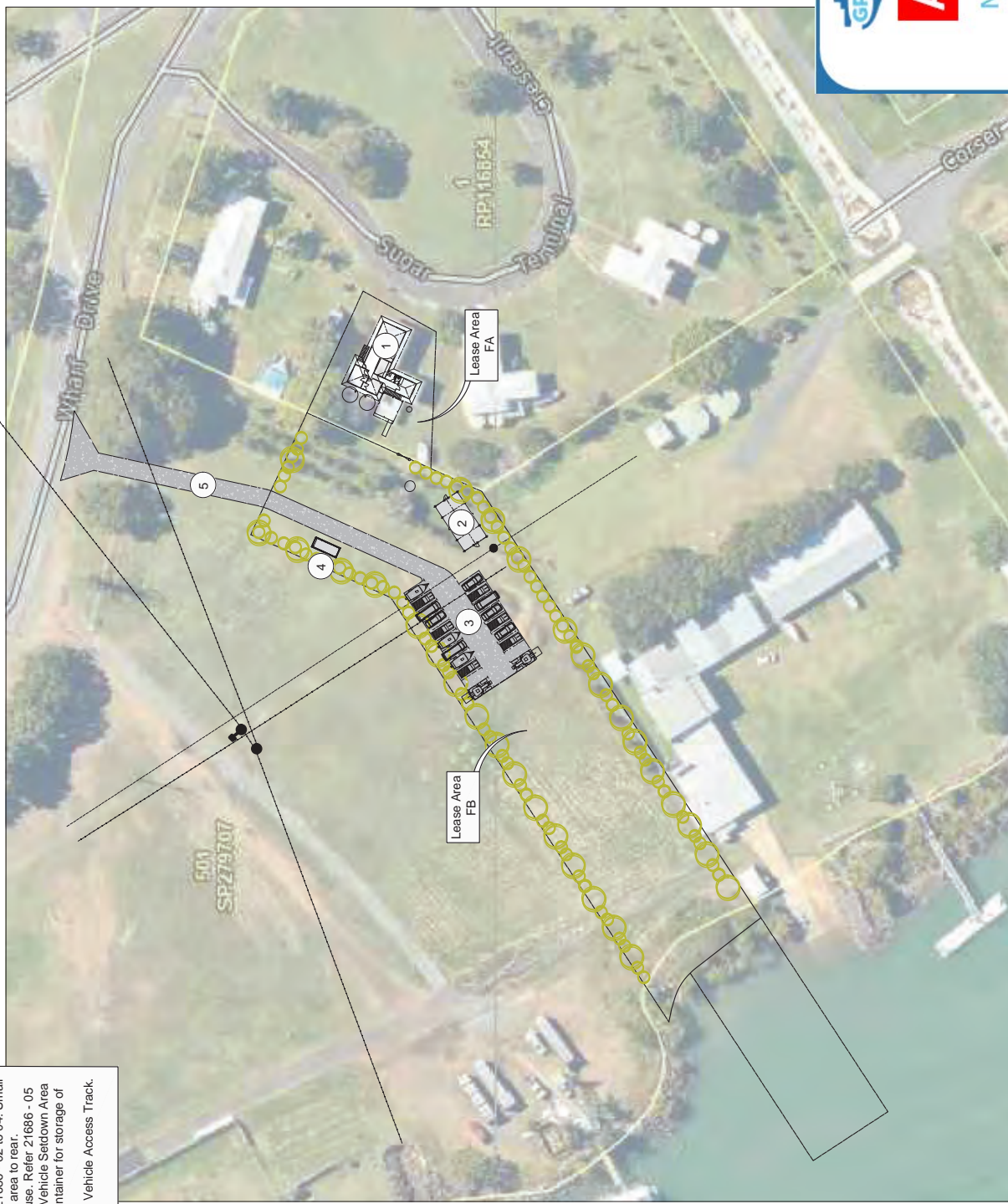
- a) identification of component air emission sources and activities at the development which impact on air emission sensitive places;
- b) the control or abatement measures that can be undertaken to reduce unreasonable air emission levels; and
- c) the handling of air emission complaints, community liaison and consultation and the training of staff in air emission management practices.

Part 1b: Advice Notes

- A. This decision notice does not represent an approval to commence Building work or Operational works.
- B. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any assessable Operational works, Building works or Plumbing and drainage works.
- C. This decision notice does not represent approval for any works relating to any structures or development within tidal areas.
- D. 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.
- E. Where a construction compound or laydown area is 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.
- F. Where works are to be undertaken outside tenured areas, the proponent or their contractor is required to apply for and obtain a Consent to Enter from GPC's Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
- G. 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.
- H. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
- I. 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.
- J. For the purpose of providing street addresses for deliveries and emergency vehicles, the street addresses for the premises are:
 - a) 5 Sugar Terminal Crescent
 - b) 19 Wharf Drive
- K. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: pfs@gpcl.com.au, contracted_security@gpcl.com.au and gpcsupervisor@diamondprotection.com.

Attachment 2 Approved Plans and Specifications

Rev	Description	Date
-	-	-



- LEGEND:**
- Existing 2 Storey Building. Refer 21686 - 02 to 04. Small open 4.9m x 4.7m roofed outdoor area to rear.
 - Proposed Relocatable Shade House. Refer 21686 - 05
 - Proposed Compacted Roadbase Vehicle Saldown Area
 - Proposed 6m x 2.4m Shipping Container for storage of tools
 - Proposed Compacted Road Base Vehicle Access Track.




APPROVED

 Name: Erin Clark

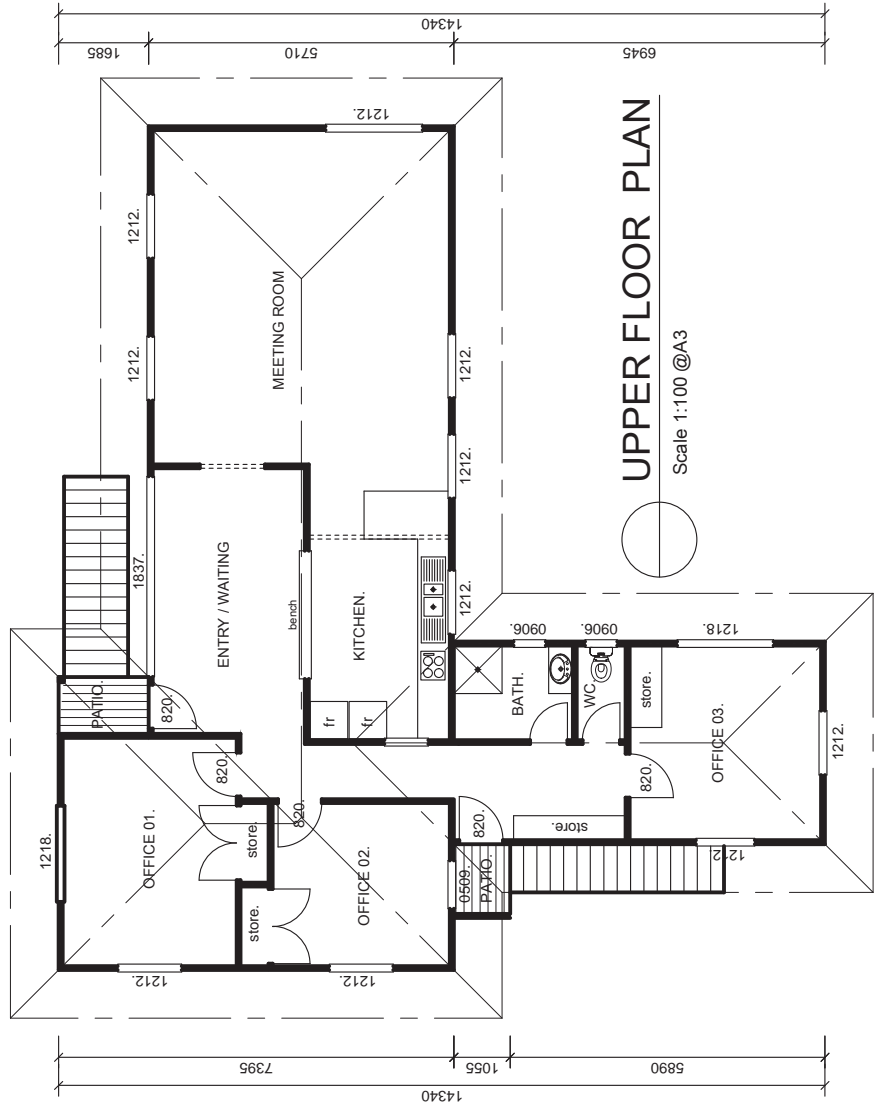
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SITE PLAN
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Q.B.C.C. No: 15243624 P.O. Box 1530 Bundaberg Q. 4670 Ph: (07) 41531183 Email: admin@gatleybuildingdesign.com.au Web: www.gatleybuildingdesign.com.au	Site: 5 Sugar Terminal Drv, Burnett Heads Part of Lot 1 RP 116654	Issue: Preliminary Date: 24/05/21
	Project: Conversion - Existing House to Office Client: Gidarfil Development Corp. Pty Ltd	© Copyright 2021, John Gatley Building Designs. Design: M.J. Drawn: M.J. Approved: X Drawing No: 21686 Page: 01
Description: Site Plan		

Rev	Description	Date
-	-	-

AREA:
 O/S Walls - 124.0m²
 Front Patio - 1.8m²
 Rear Patio - 1.5m²



UPPER FLOOR PLAN

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Gladstone Ports Corporation

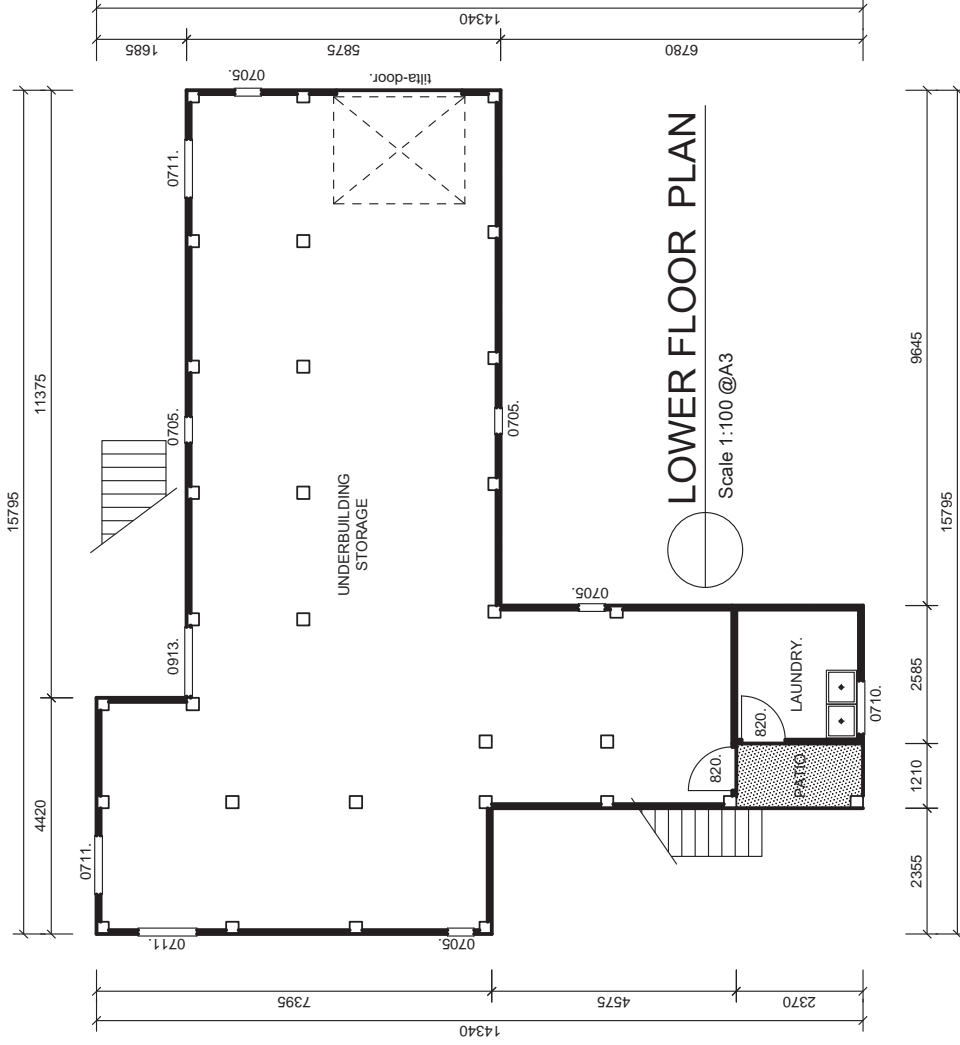
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Q.B.C.C. No: 15243624 P.O. Box 1530 Bundaberg Q. 4670 Ph: (07) 41531183 Email: admin@gatleybuildingdesign.com.au Web: www.gatleybuildingdesign.com.au	Site: 5 Sugar Terminal Drv, Burnett Heads Part of Lot 1 RP 116854	Issue: Preliminary	Date: 24/05/21
Project: Conversion - Existing House to Office Client: Gidarjil Development Corp. Pty Ltd		Design: M.J.	Drawn: M.J.
Description: Upper Floor Plan		Drawing No: 21686	Page: 02

AREA:
 O/S Walls - 124.0m²
 Paito - 2.9m²

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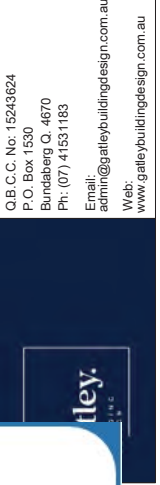


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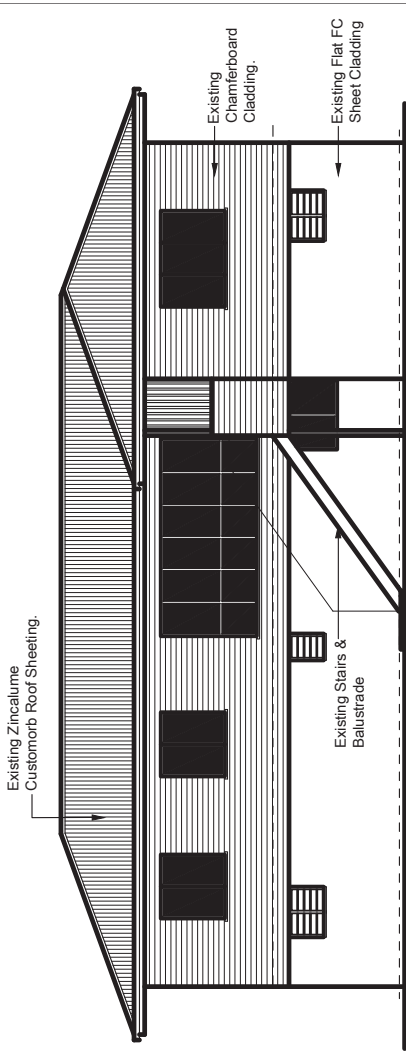
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Project: Conversion - Existing House to Office Client: Gidarjil Development Corp. Pty Ltd		© Copyright 2021, John Gatley Building Designs. Design: M.J.J. Drawn: M.J.J. Approved: X	
Description: Lower Floor Plan		Drawing No: 21686	Page: 03

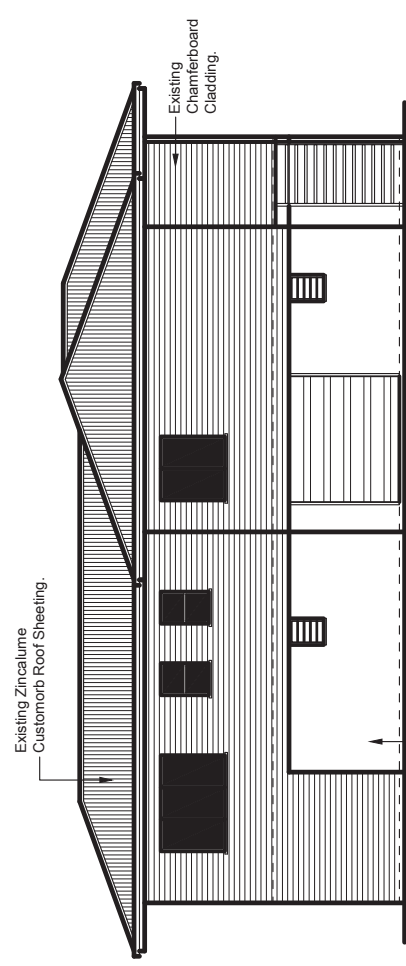
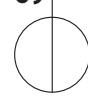


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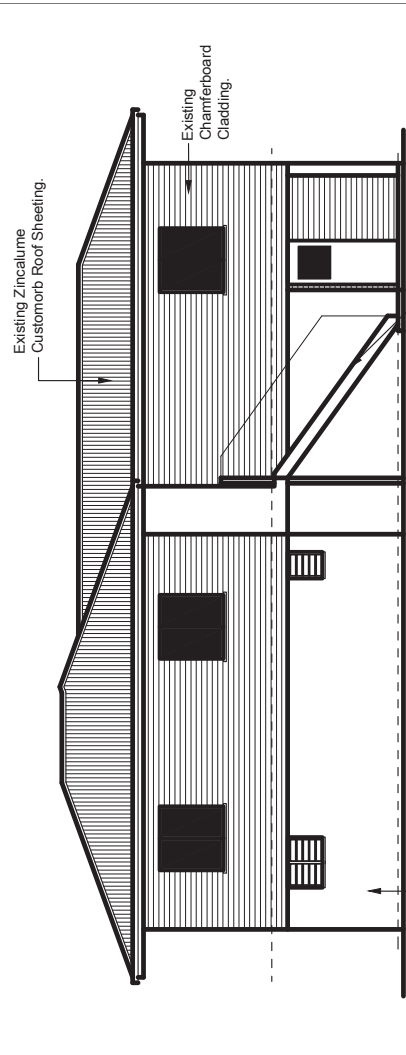
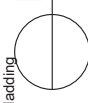
FRONT ELEVATION

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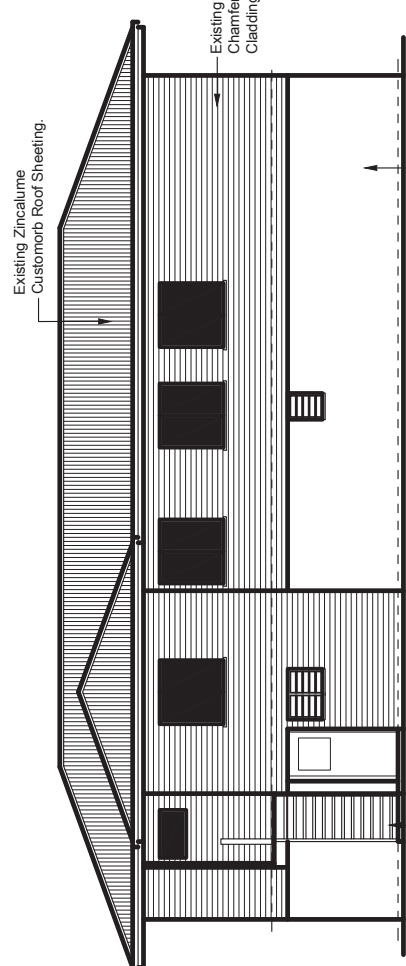
SIDE ELEVATION

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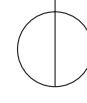
REAR ELEVATION

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SIDE ELEVATION

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Gladstone Ports Corporation

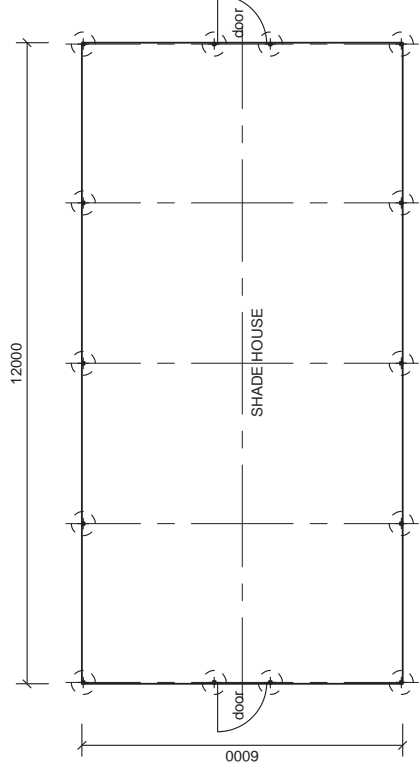
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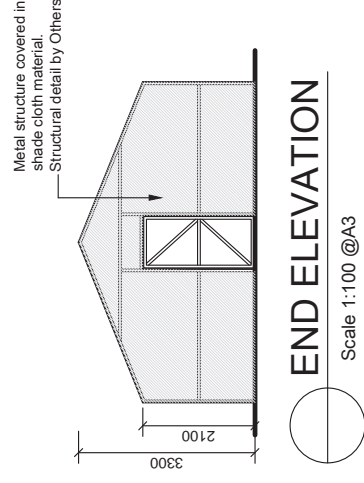
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Project: Conversion - Existing House to Office Client: Gidarji Development Corp. Pty Ltd	Design: M.J.	Drawn: M.J.	Approved: X
Description: Elevations	Drawing No: 21686	Page: 04	



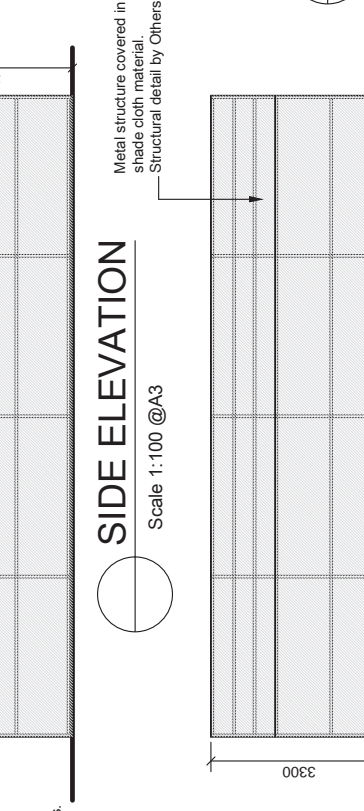
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FLOOR PLAN
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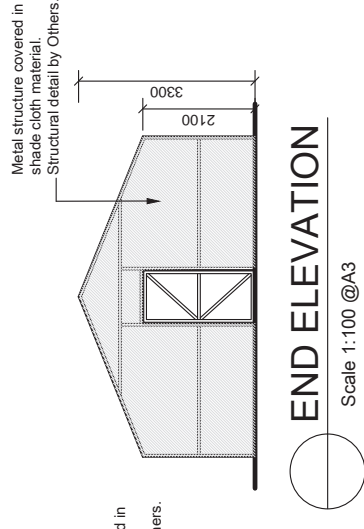


END ELEVATION
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SIDE ELEVATION
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FLOOR PLAN
Scale 1:100 @A3



END ELEVATION
Scale 1:100 @A3



**Title: Shade House Structure
As Amended 03.08.2022**

Site: 5 Sugar Terminal Drv, Burnett Heads Part of Lot 1 RP 116854	Issue: Preliminary	Date: 24/05/21
Q.B.C.C. No: 15243624 P.O. Box 1530 Bundaberg Q. 4670 Ph: (07) 41531183 Email: admin@gatleybuildingdesign.com.au Web: www.gatleybuildingdesign.com.au	Project: Conversion - Existing House to Office Client: Gidarjil Development Corp. Pty Ltd Description: Shade House	© Copyright 2021, John Gatley Building Designs. Design: M.J. Drawn: M.J. Approved: X Drawing No: 21686 Page: 05



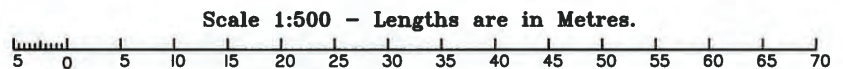
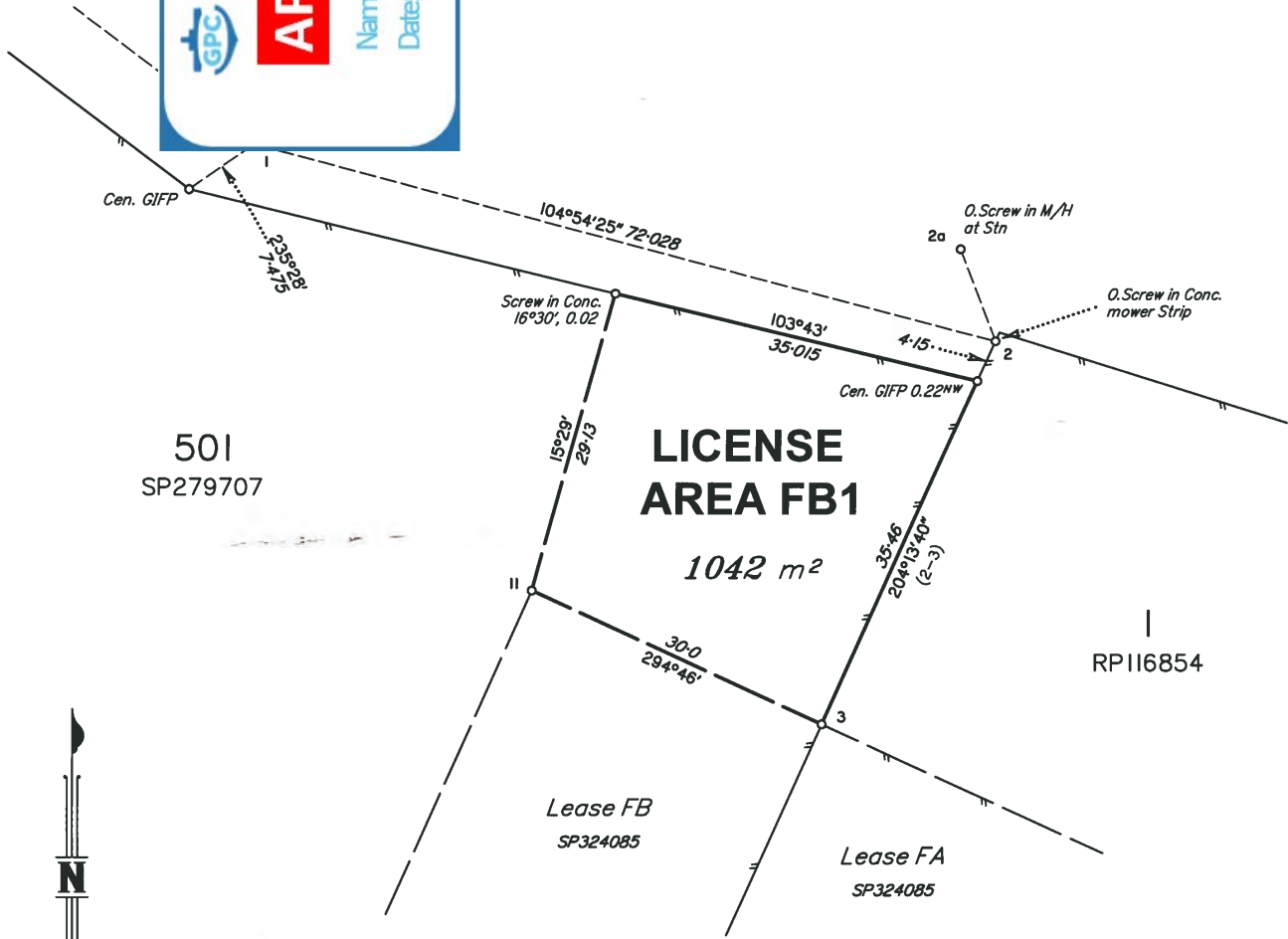
SOMMERFELD JENSEN CAMPBELL PTY LTD ACN 109 094 699
 (trading as InsiteSJC) certifies that the details shown
 on this sketch plan, are correct.

[Signature]
 Partner/Cadastral Surveyor

23/12/2020
 Date

Title: Site Description
 (License Area - Access)
 As Amended 03.08.2022

Gladstone Ports Corporation
APPROVED
 Name: Erin Clark
 Date: 11:55am 04/08/2022



SKETCH PLAN OF LICENSE AREA FB1 in part of Lot 501 on SP279707		PARISH of BAROLIN COUNTY of Cook		
		TITLE REFERENCE 51067574	SCALE 1:500 at A3	
ORIGINAL: POR 4 LOCALITY: BURNETT HEADS LOCAL GOVERNMENT: BUNDABERG R.C.	SURVEYED AJJ	DRAWN JR	CHECKED AJJ	PLAN REFERENCE No GC20 - 443 - LIC FB1
	DATE 02/12/20	DATE 07/12/20	DATE 07/12/20	

**Title: Site Description
(Lease Areas)
As Amended 03.08.2022**

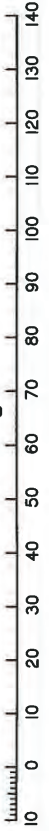
APPROVED
Gladstone Ports Corporation
Name: Erin Clark
Date: 11:55am 04/08/2022

ST	DESCRIPTION	BEARING	DIST	NO	TYPE
22	O. Drill Hole in Conc. (new conc)	231°44'	5-175		
4	Screw in Kb	95°33'	5-875		
5	O. Screw in Conc.	4°01'30"	16-143		
7	O. Screw in side of Rock	232°7'40"	7-388		
11	Screw in Conc.	15°29'	29-15		

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE
4a-OPM	IS153087		at Station	4503	Std.

Scale 1:1000 - Lengths are in Metres.



Branded peg placed at all new corners, unless otherwise stated.

Exempt land under Section 66(1)(c) of the Survey & Mapping Infrastructure Act 2003 (Strategic Port Land)

Original information compiled from SPI28643 in the Department of Natural Resources, Mines and Energy.

TABLE A

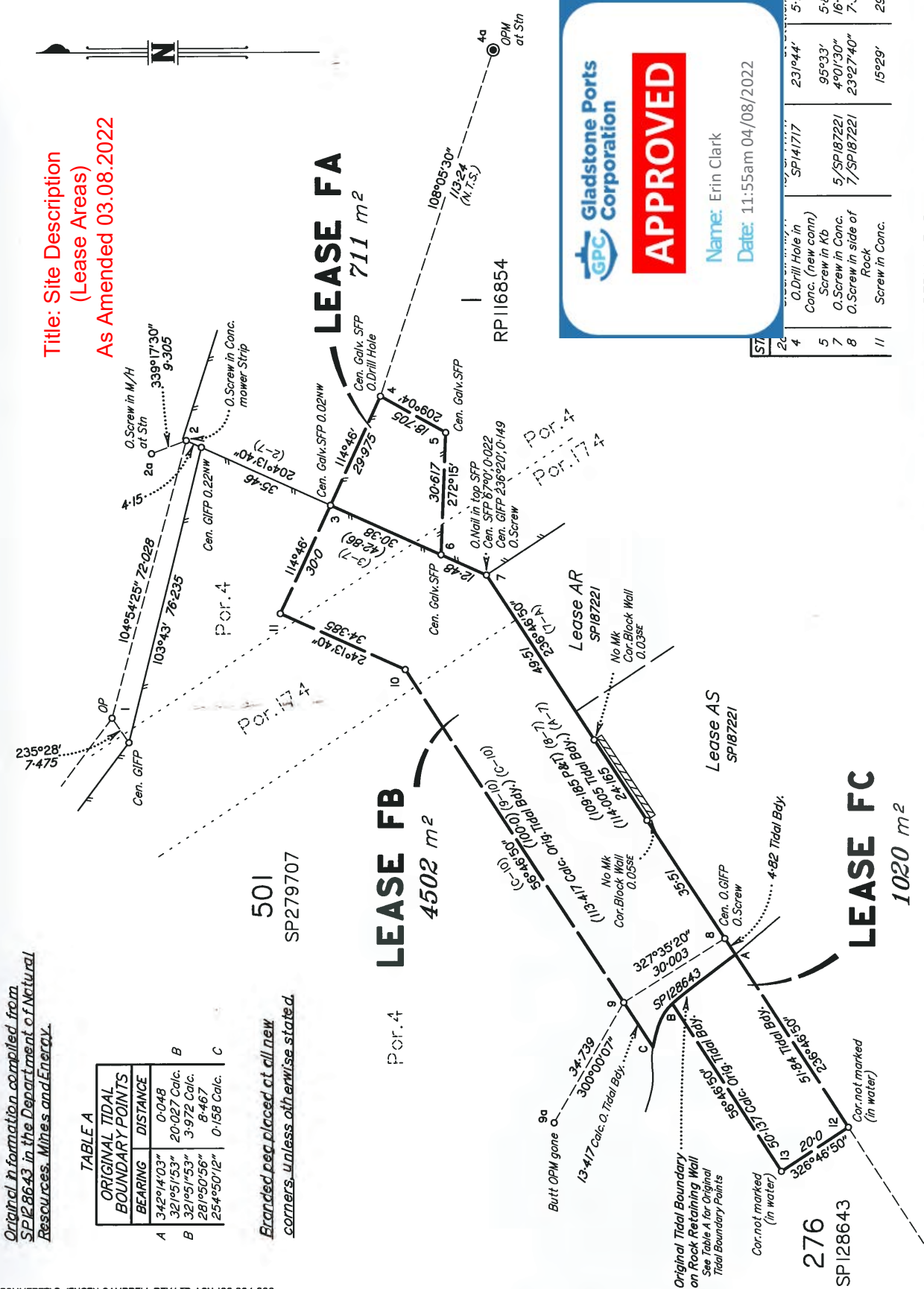
ORIGINAL TIDAL BOUNDARY POINTS	BEARING	DISTANCE	B	C
A	342°4'03"	0-048	20-027 Calc.	8-467
B	32°05'15.3"	3-972 Calc.	0-158 Calc.	
C	281°50'58"	0-158 Calc.		

501 SP279707
Branded peg placed at all new corners, unless otherwise stated.

LEASE FB
4502 m²

LEASE FC
1020 m²

LEASE FA
711 m²



SOMMERFELD JENSEN CAMPBELL PTY LTD ACN 109 094 699 (trading as InsiteSJC) hereby certify that the land comprised in this plan was surveyed by the corporation, by Andrew John JENSEN, cadastral surveyor, for whose work the corporation accepts responsibility, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 02/12/2020.

Cadastral Surveyor/Partner

Date 23.12.2020

0 50mm 100mm 150mm State copyright reserved.

**Plan of Lease FA in Lot 1 on RP116854,
Lease FB in Lot 501 on SP279707
and Lease FC in Lot 276 on SPI28643**

LOCAL GOVERNMENT: BUNDABERG R.C. LOCALITY: BURNETT HEADS

Meridian: MGA Zone 56 vide SPI87221

Survey Records: No

Scale: 1:1000
Format: STANDARD

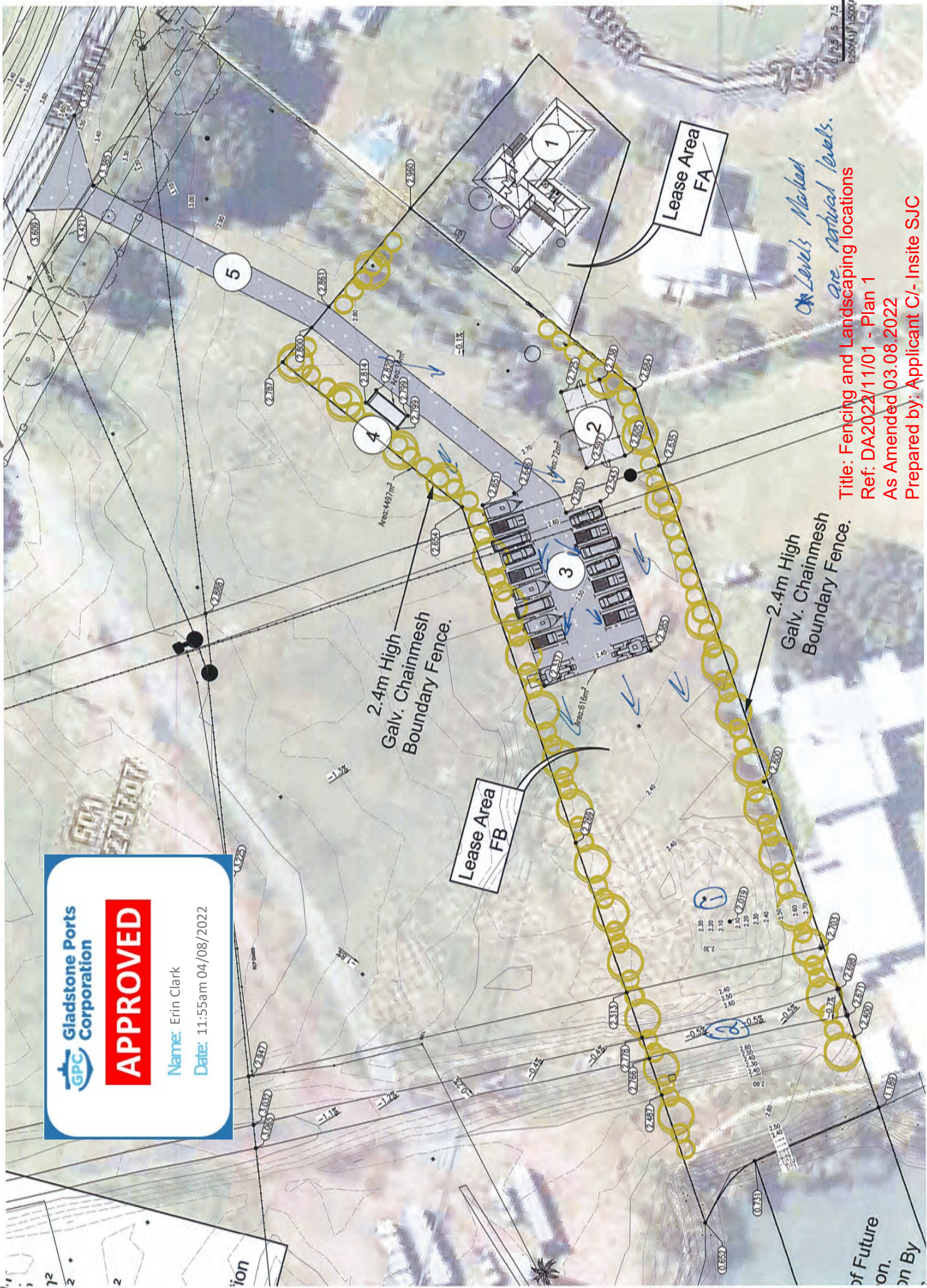
SP324085



Gladstone Ports Corporation

APPROVED

Name: Erin Clark
Date: 11:55am 04/08/2022

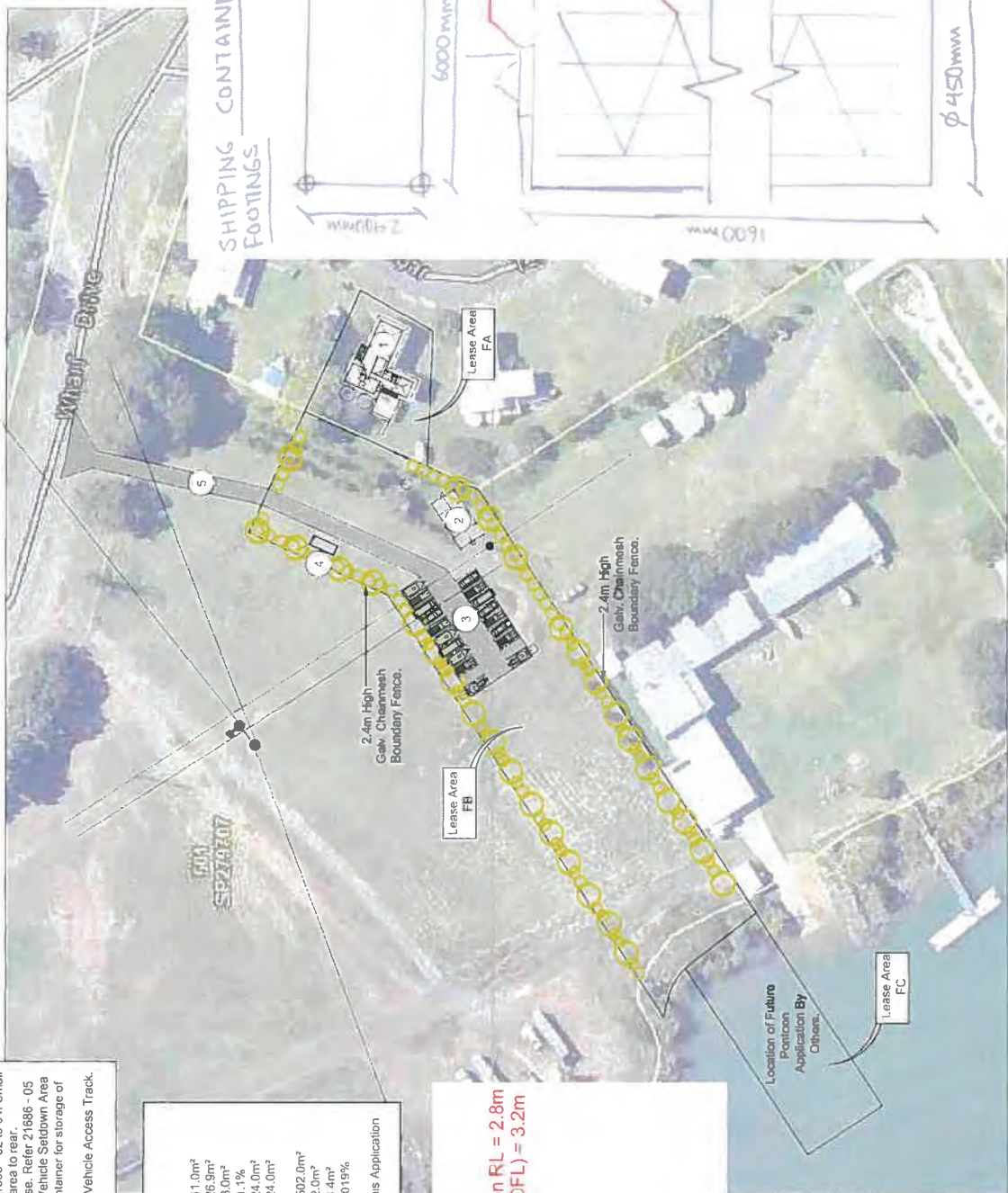


Levels Marked are natural levels.

Title: Fencing and Landscaping locations
Ref: DA2022/1101 - Plan 1
As Amended 03.08.2022
Prepared by: Applicant C/- Insite SJC

of Future
on.
on By

Rev	Description	Date
-	-	-



- LEGEND**
- Existing 2 Storey Building, Refer 21686 - 02 to 04. Small open 4.9m x 4.7m roofed outdoor area to rear.
 - Proposed Reconfigurable Shade House. Refer 21686 - 05
 - Proposed Compacted Roadbase Vehicle Saldown Area
 - Proposed 6m x 2.4m Shipping Container for storage of tools
 - Proposed Compacted Road Base Vehicle Access Track.

AREA CALCULATIONS:

AREA - LEASE AREA FA:	711.0m ²
BUILDING FOOTPRINT:	126.9m ²
OUTDOOR AREA FOOTPRINT:	23.0m ²
SITE COVERAGE:	21.1%
GFA - UPPER FLOOR:	124.0m ²
GFA - LOWER FLOOR:	124.0m ²
AREA - LEASE AREA FB:	4502.0m ²
GFA - SHADE HOUSE:	72.0m ²
GFA - SHIPPING CONTAINER:	14.4m ²
SITE COVERAGE:	0.019%
AREA - LEASE AREA FC: Not Part of this Application	

- DESIGN PARAMETERS:**
- 0.4m submergence
 - approximate installation RL = 2.8m
 - Defined Flood Level (DFL) = 3.2m
 - Skin Friction = 20kPa
 - Importance Level 1
 - Region C
 - TC2
 - Mz.cat = 0.91
 - Md = 0.95 (all directions)
 - Mt = 1.0
 - Ms = 1.0
 - Vdes = 54.6 m/s



RMA Engineers
Aaron Neubaum
RPEC 15029

SITE PLAN

Job No	16907
Project	5 Sugar Terminal Drive
Title	Container footings
Date	19/04/22
Drawn No	S-SK02-B
Issue	AJN

@A3

Q B C C No 15243624
P O Box 1530
Bundaberg Q 4670
Ph (07) 41531183
Email
admin@galleybuildingdesign.com.au
Web
www.galleybuildingdesign.com.au



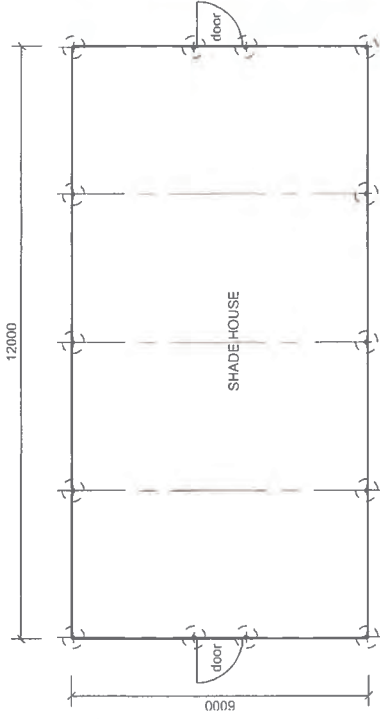
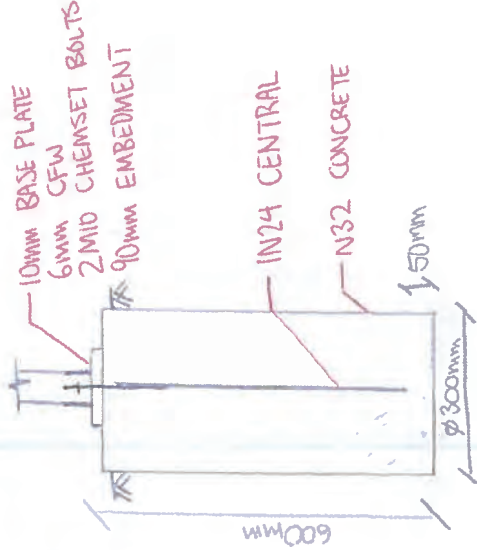
Site: 5 Sugar Terminal Drv, Burnett Head
Part of Lot 1 RP 116854
Project Conversion - Existing House to Off
Client: Galaril Development Corp. Pty Ltd
Description: Site Plan

Gladstone Ports Corporation

APPROVED

Name: Erin Clark
Date: 11:55am 04/08/2022

GREENHOUSE FOOTINGS



DESIGN PARAMETERS:

- 0.6m submergence
- approximate installation RL = 2.6m
- Defined Flood Level (DFL) = 3.2m
- Skin Friction = 20kPa
- Importance Level 1
- Region C
- TC2
- Mz.cat = 0.91
- Md = 0.95 (all directions)
- Mt = 1.0
- Ms = 1.0
- Vdes = 54.6 m/s

FLOOR PLAN

Scale 1:100 @A3

Metal structure covered in shade cloth material
Structural detail by Others

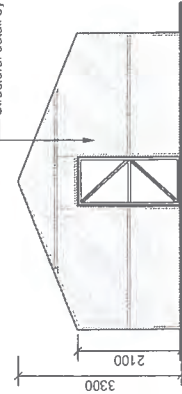


SIDE ELEVATION

Scale 1:100 @A3

Metal structure covered in shade cloth material
Structural detail by Others

Metal structure covered in shade cloth material
Structural detail by Others



END ELEVATION

Scale 1:100 @A3

END ELEVATION

Scale 1:100 @A3

RMA Engineers
Aaron Neubauer
RPEQ 15029

RMA Engineers	Proj No: 16907	Proj: 5 Sugar Terminal Drive	Proj: 5 Sugar Terminal Drive
	Proj: Greenhouse footings	Proj: Greenhouse footings	Proj: Greenhouse footings
	Date: 19/04/22	Drawing No: S-SK01-B	Issue: AJN

galley
BUILDING DESIGN

O.B.C.C. No: 15243624
P.O. Box 1530
Bundaberg Q.L. 4670
Ph: (07) 41531163
Email: admin@galleybuildingdesign.com.au
Web: www.galleybuildingdesign.com.au

Site: 5 Sugar Terminal Drive
Part of lot 1 RP 11655
Project Conversion - Existing
Client: Gidjil Development Co
Description: Relocatable Shade house



APPROVED

Name: Erin Clark
Date: 11:55am 04/08/2022

UB
21686

Rev	Description	Date

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	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
<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</p> <p>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</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>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</p> <p>(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			
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>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—</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>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>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</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 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	—	—