



4 April 2023

Bakara Investments Pty Ltd
C/- Reel Planning
Greg Ovenend
Unit 1/19 Camford Street
MILTON QLD 4064

Dear Mr Ovenend,

Referral Agency Response – Approved with Conditions – RR2023/001/01

(GIVEN UNDER SECTION 56 PLANNING ACT 2016)

1. Application Details

This development application was **referred** to the Gladstone Ports Corporation Limited on **7 February 2023**.

Application Number:	RR2023/001/01
Applicant Name:	Bakara Investments Pty Ltd
Applicant Contact Details:	C/- Reel Planning Greg Ovenend Unit 1/19 Camford Street MILTON QLD 4064 Email; greg@reelplanning.com
Approval Sought:	Reconfiguring of a Lot within Port Limits
Location Street Address:	North Curtis Island
Location Real Property Description:	Lot 0 SP233266 (CMS41318 - common property), Lots 1 to 9 SP233266 (CMS41318) and Lot 46 RP900013
Local Government Area:	Gladstone Regional Council

2. Details of Proposed Development

Lot reconfiguration to extinguish the Community Management Scheme (CMS 41318) titling arrangement and rearrange a boundary to create ten (10) freehold lots.

3. Referral Triggers

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

Referral Trigger: Schedule 10, Division 3, Table 1, Item

- a) Prescribed assessable development within limits of a port and
- b) On land below high-water mark and within the limits of a port under the *Transport Infrastructure Act 1994*.

4. Details of Referral Response

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

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

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

5. Approved Plans

Drawing/report title	Prepared by	Date	Reference No.	Version
Proposed Property Boundaries	Reel Planning	10/01/2023	Map 3	-

For further information please contact Trudi Smith, Planning Specialist on 07 4976 1314 or the undersigned on 07 4976 1287 or via email planning@gpcl.com.au.

Yours sincerely,



Craig Haymes
Chief Executive Officer

for

Cc: Assessment Manager – Gladstone Regional Council

Attachment 1. Conditions of Approval

PART 1: REFERRAL AGENCY CONDITIONS

In general the development proposal is in compliance with the requirements of *Transport Infrastructure Act 1994* (Chapter 8, part 3). This Referral Agency approval is subject to each the following conditions which are stated by GPC, the Referral Agency.

Part 1a. Approval sought under the *Transport Infrastructure Act 1994* (Chapter 8, part 3).

GENERAL

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

Furthermore, the Referral Agency will require no less than 10 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the sealing of the survey plan. Should further information be required for assessment, the Referral Agency will require a further 5 business days to complete the information request assessment and response.

3. The development must be a designed and constructed to mitigate potential adverse impacts to port functions, services and facilities, and to maintain safe navigable access within Port Limits.
4. Building envelopes are to be included on the 'Proposed Property Boundaries' plan for each of the undeveloped lots to identify the proposed future location of a Dwelling House and ancillary structures. The building envelope is to be located to the Eastern most position (as reasonably possible) on each undeveloped lot, to increase separation distances from the Port of Rockhampton (Port Alma Shipping Terminal) unless alternatives building envelopes are agreed with the Referral Agency (GPC).

The amended plan is to be submitted to the Referral Agency (Gladstone Ports Corporation Limited) for review prior to signing and sealing of the survey plan.

5. The amended approved plan is to accompany any Contract of Sale for any lots which form part of this proposed development.

ENGINEERING AND PLANNING

6. The proponent must inform the Referral Agency of completion of the Registration of the Survey Plan within 14 days of practical completion and certify that the plans include the approved building envelope locations.
7. Any site lighting used during development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels within Port Limits nor illuminate a landward glare beyond the site boundary (skyglow). Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Referral Agency.
8. Any material which is deposited or any debris which falls or is deposited within Port Limits during the use of the approved development shall be removed by the applicant at their cost and expense. The applicant is to notify the Referral Agency if any material or debris is deposited.
9. If, as a result of the development, or other cause attributable to the proponent, any bank or tidal structure within Port Limits is displaced, the proponent at its cost and expense shall restore the

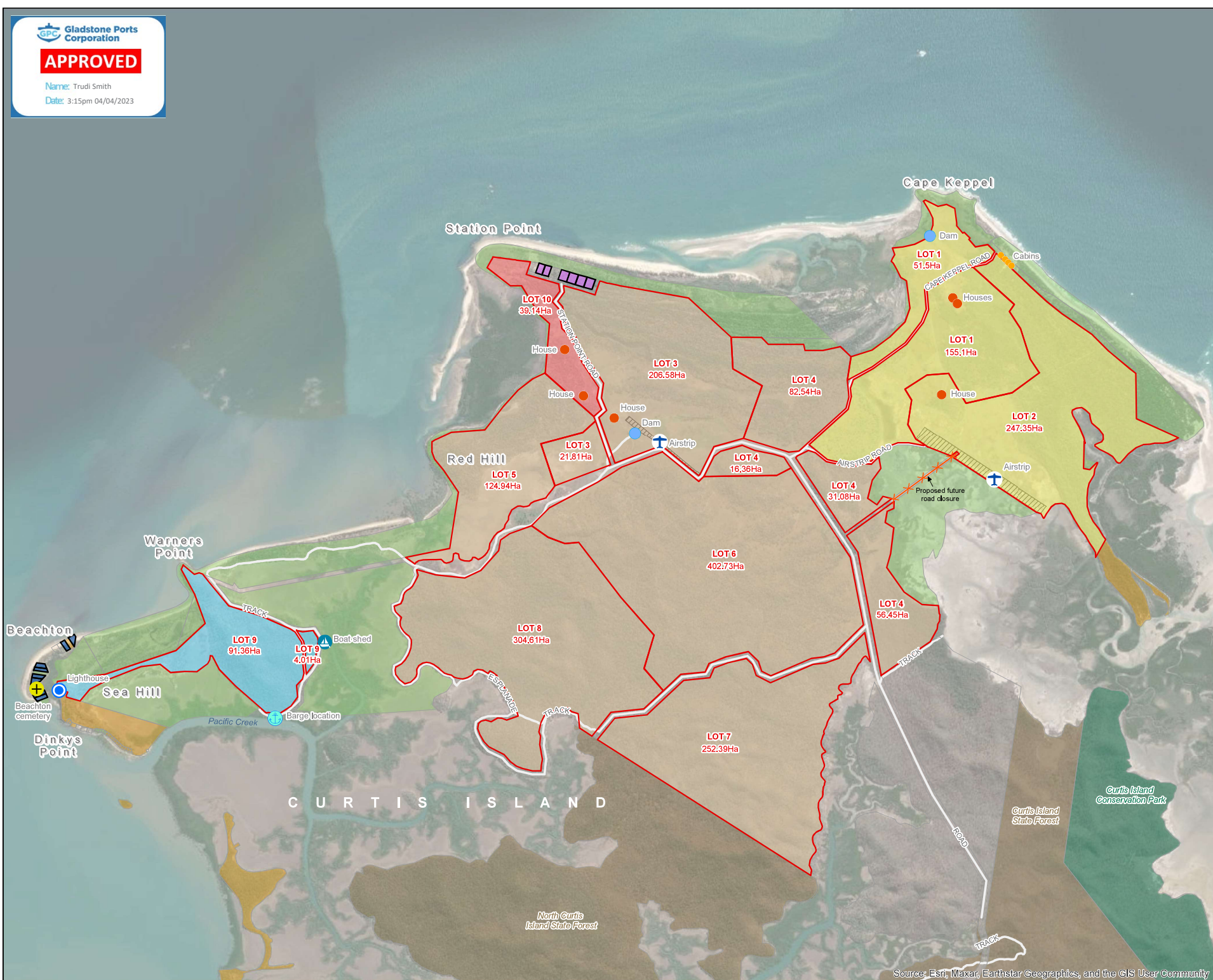
bank or structure to its former condition and take such other action as is necessary to ensure the stability of the bank or structure to the satisfaction of the Regional Harbour Master.

10. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water within Port Limits.

Part 1b. Referral Agency Advice Notes

1. Where the Applicant is required to submit further documentation to the Referral Agency, this is to be directed to the Planning section planning@gpcl.com.au including reference to the allocated referral response number RR2023/001/01.
2. Any future boundary realignments/relocations of the Bakara Holdings at Beachton that are not triggered to be referred to Gladstone Ports Corporation Limited under the *Planning Regulation 2017* for development within Port Limits are to be referred to the Gladstone Ports Corporation Limited for 'third party advice'.

Attachment 2. Approved Plans and Specifications



Legend

- Proposed property boundaries (indicative only)
- Current property boundaries (unchanged - not part of this application)

Properties owned by Bakara Investments P/L

- Spadely Station
- Beachton properties
- Cape Keppel properties
- Station Point/Grassy Hill balance lot
- Station Point properties
- Sea Hill properties

Land tenure

- National Park
- Reserve
- State Forest
- State Land

Features

- House
- Cabins
- Dam
- Airstrip
- Barge location
- Boat shed
- Lighthouse (not within property ownership)
- Beachton cemetery
- Easement
- Cadastral boundary (excluding owned properties)
- Roads and tracks
- Proposed future road closure

REFERENCES

Coordinate System: GCS_GDA_1994

Images are not orthorectified, overlays are best fit. Features are based on topographical data and may vary.

Cadastral boundaries may contain misalignment with aerial imagery. Cadastre sourced from Qld Spatial June 2022.

Roads and tracks have been modified by local knowledge.

ESRI base imagery 2018-2020. Indicative only.

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10/01/2023

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TITLE MAP 3

PROPOSED PROPERTY BOUNDARIES

PROJECT

CURTIS ISLAND

CLIENT: BAKARA INVESTMENTS P/L



REEL PLANNING
Urban & Rural Strategies