

1 May 2025

Gladstone Ports Corporation Limited  
c/- Amanda Laner  
40 Goondoon Street  
GLADSTONE QLD 4680

Dear Amanda,

## DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2025/01/01

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

### 1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **12 February 2025**.

|  |  |
|--|--|
| <b>Application Number:</b>                 | DA2025/01/01   |
| <b>Applicant Name:</b>                     | Gladstone Ports Corporation Limited  |
| <b>Applicant Contact Details:</b>          | Gladstone Ports Corporation Limited<br>c/- Amanda Laner<br>PO Box 259<br>GLADSTONE QLD 4680<br>Email: <a href="mailto:LanerA@gpcl.com.au">LanerA@gpcl.com.au</a>   |
| <b>Approval Sought (Land Use Plan)</b>     | Operational Works for Tidal Works – Demolition of a tidal structure  |
| <b>Approval Sought (Port Overlay):</b>     | Operational works for tidal works  |
| <b>Approval Sought (SARA):</b>             | <ul style="list-style-type: none"><li>Operational work that is tidal work or work in a coastal management district</li><li>Operational work that is tidal works or work in a coastal management district in tidal waters</li></ul> |
| <b>Details of Proposed Development:</b>    | Operational work (Tidal Works) - Demolition of a tidal structure (Barney Point Wharf Bypass Platform)  |
| <b>Location Street Address:</b>            | Barney Point Wharf, MacFarlan Drive, Gladstone   |
| <b>Location Real Property Description:</b> | Lot 301 SP256216 and a small area in USL   |

|                       |   |
|-----------------------|---|
| <b>Land Owner:</b>    | Gladstone Ports Corporation Limited and Department of Resources   |
| <b>Land Use Plan:</b> | Wharves (offshore) Precinct – does not include USL  |
| <b>Port Overlay:</b>  | Port Industry and Commerce and Marine Infrastructure Precinct (12m <sup>2</sup> ) and Port Central Sub Precinct |

## 2. Details of Proposed Development

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Operational Works (Tidal Works) - Demolition of the Barney Point Wharf Bypass Platform –

- Removal of the handrails, concrete top deck and steel structure using a crane from the Barney Point Wharf and
- Removal of the three (3) steel piles by either pulling the piles or gas axing at the sea floor.

## 3. Details of Decision

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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*. (strike out if not applicable)

## 4. Details of Approval

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

- Operational Works for Tidal Works – Demolition of a tidal structure (Barney Point Wharf Bypass Platform).

## 5. Conditions

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

## 6. Further Development Permits

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Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Nil

## 7. Referral Agencies for the Application

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The referral agencies for this application are:

| For an application involving  | Referral Agency and Address  |
|---|--|
| <p><i>Planning Regulation 2017 –</i></p> <ul style="list-style-type: none"> <li>Schedule 10, 17.3.1 – operational work that is tidal works or work in a coastal management district</li> <li>Schedule 10, 17.3.2.1 - operational work that is tidal works or work in a coastal management district in tidal waters</li> </ul> | <p>Rockhampton State Assessment and Referral Agency (SARA)<br/>PO Box 113<br/>ROCKHAMPTON QLD 4700</p> <p><a href="mailto:rockhamptonSARA@dsdmip.qld.gov.au">rockhamptonSARA@dsdmip.qld.gov.au</a></p> |

## 8. Approved Plans

Copies of the following plans and/or drawings are approved and enclosed in Attachment 2:

| Drawing/report title  | Prepared by | Date       | Reference No. | Version |
|---|-------------|------------|---------------|---------|
| Barney Point Coal Terminal – Shiploader Upgrade Wharf Rail Replacement Arrangement (FOR DEMOLITION)                       | BHP         | 29/11/1999 | 513-0043      | 1       |
| Barney Point Coal Terminal Shiploader Upgrade Wharf Rail Replacement End Stop & Passing Bay Ramp Details (FOR DEMOLITION) | BHP         | 30/11/1999 | 513-0045      | 1       |
| Wharf Bypass Platform layout of platform (FOR DEMOLITION)   | BHP         | 09/12/1994 | Q39-53-S001   | 1       |

## 9. 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 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.

## 10. Rights of Appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

**Attachment 3** is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

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

Yours sincerely,



**Jenelle Druce**  
**Acting Chief Executive Officer**

Cc: SARA Rockhampton

Enc. Attachment 1: Conditions of Approval  
Part 1 – Conditions imposed by the assessment manager  
Part 2 – Conditions required by the referral agency response  
(SARA Rockhampton)

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 Works that is tidal works on Strategic Port Land**

| CONDITIONS   |
|--|
| <b>GENERAL</b>   |
| 1. Development must be carried out generally in accordance with the Approved plans, except where modified by conditions of this permit.  |
| 2. Where additional “approval” is required under these conditions by the Assessment Manager (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 Assessment Manager.<br><br>Furthermore, the Assessment Manager will require no less than 20 business days, unless otherwise conditioned, to initially assess the drawings or documentation provided prior to the commencement of the works. |
| 3. The Applicant 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.  |
| <b>INFRASTRUCTURE</b>  |
| 4. The applicant must notify the Assessment Manager (GPC) of damage caused to any port or port user infrastructure or services including, but not limited to, security related devices, wharf infrastructure and related infrastructure i.e. lighting, electrical services, fire infrastructure etc as a result of the approved demolition. The proponent must undertake necessary repairs at their expense and to the satisfaction of the Assessment Manager (GPC).   |
| 5. The applicant must invite the Port Infrastructure Asset Manager to inspect the completed works within 14 days of practical completion. Prior to inspection, the Applicant must apply anti corrosive treatment to the area where the platform and wharf joined to ensure no corrosion of the newly exposed infrastructure.   |
| <b>WASTE MANAGEMENT</b>  |
| 6. 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.  |
| <b>TIDAL WORKS</b>   |
| 7. Prior to works commencing, supply to GPC a Marine Execution Plan that has been approved by the Regional Harbour Master, where relevant. Where not relevant, the development must be a carried out in a manner that mitigates potential adverse impacts to port functions, services and facilities, and to maintain safe navigable access within Port Limits.  |

8. Within 3 months of completion of tidal works, the Applicant is to provide a letter to the Assessment Manager certifying that the seabed is clear of any materials fallen or deposited on tidal lands or into tidal waters during demolition works.
9. Within 3 months of the date of practical completion of the works, the Applicant is to provide a letter to the Assessment Manager from a Registered Professional Engineer of Queensland certifying that the works have been undertaken in accordance with the approved drawings and the development approval conditions.
10. Any material which is deposited or any debris which falls or is deposited on tidal lands or into tidal waters during the demolition of the approved development shall be removed by the applicant at their cost and expense. The applicant is to notify the Assessment Manager if any material or debris is deposited.

#### **CONSTRUCTION MANAGEMENT**

11. Any site lighting used during demolition 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.
12. Prior to any night works commencing, the proponent must ensure all details of proposed mitigation measure/s to reduce skyglow from all external lighting associated with the development has been documented and are available for review by the Assessment Manager.
13. In the event works are required to be carried out outside the lease area, the proponent or their contractor must obtain a Consent to Enter from GPC's Property Advisor prior to works commencing.
14. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of development.

#### **ENVIRONMENT**

15. Prior to demolition works commencing on site, an updated Construction Environmental Management Plan (CEMP) specific to these works, is to be submitted to the Assessment Manager (GPC) for approval.

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

- a. environmental risks, including but not limited to, noise, odour, lighting, dust, are identified, managed and continually assessed in relation to the construction activity;
- b. that staff are trained, aware and competency assessed 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 activity must be carried out in accordance with this CEMP.

*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

16. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:
  - a. with environment related conditions of this approval, or any other environmental approval obtained in relation to the approved activity.
17. Environmental incident notification must be included in any Environmental Management Plans for the works.

## ADVICE NOTES – WHEN RELEVANT

- a. 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.
- b. All development should proceed in accordance with the duty of care guidelines under the *Aboriginal Cultural Heritage Act 2003*. Penalties may apply where duty of care under that Act has been breached.
- c. 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](mailto:planning@gpcl.com.au), including reference to the allocated development application number.

## **PART 2: REFERRAL AGENCY CONDITIONS**

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





SARA reference: 2502-44870 SRA  
GPC reference: DA2025/01/01

9 April 2025

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

Attention: Trudi Smith

Dear Ms Smith,

## SARA referral agency response—Barney Point Wharf, Barney Point

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 19 March 2025.

### Response

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|                   |  |
|-------------------|--|
| Outcome:          | Referral agency response – with conditions   |
| Date of response: | 9 April 2025   |
| Conditions:       | The conditions in <b>Attachment 1</b> must be attached to any development approval |
| Advice:           | Advice to the applicant is in <b>Attachment 2</b>                                  |
| Reasons:          | The reasons for the referral agency response are in <b>Attachment 3</b>            |

### Development details

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|               |   |
|---------------|---|
| Description:  | Development Permit – Operational Work for Tidal Works (Demolition of a tidal structure) |
| SARA role:    | Referral agency   |
| SARA trigger: | Schedule 10, Part 17, Division 3, Table 1, Item 1 (Planning Regulation 2017)            |

Operational work that is tidal works or work in a coastal management district

Schedule 10, Part 17, Division 3, Table 2, Item 1 (Planning Regulation 2017)

Operational work that is tidal works or work in a coastal management district in tidal waters

SARA reference: 2502-44870 SRA

Assessment manager: Gladstone Ports Corporation Limited

Street address: Barney Point Wharf, Barney Point

Real property description: Lot 301 SP256216 and adjoining unallocated state land

Applicant name: Gladstone Ports Corporation Limited

Applicant contact details: PO Box 259  
GLADSTONE QLD 4680  
Lanera@gpcl.com.au

*Human Rights Act 2019* considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Lawson Costello, Planning Officer, on (07) 4924 2914 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Carl Porter  
A/ Manager Planning

cc Gladstone Ports Corporation Limited, GPCLApprovals@gpcl.com.au

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations about a referral agency response provisions  
Attachment 5 - Documents referenced in conditions

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

| No.   | Conditions   | Condition timing  |
|---|--|---|
| <b>Operational work</b>   |  |   |
| 10.17.3.1.1 – Operational work that is tidal works or work in a coastal management district—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of the Environment, Tourism, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): |  |   |
| 1.  | The works must be undertaken generally in accordance with the following plans:<br>(a) <i>Wharf Bypass Platform – Layout of Platform</i> prepared by BHP, dated 16/12/1994, drawing no. Q39-53-S001, revision 1, as amended in red by SARA on 9 April 2025. | For the duration of works.  |
| 2.  | The works must be undertaken generally in accordance with <i>BPT WBP Removal - Construction and Environmental Management Plan</i> prepared by Gladstone Ports Corporation, dated 11/09/2023, reference 1897011, version 1.                                 | For the duration of works.  |
| 3.  | Remove and dispose of the entire Barney Point Wharf Bypass Platform and piles at an appropriately licenced facility that accepts these types of materials.   | Within one month of practical completion of the demolition works. |

## Attachment 2—Advice to the applicant

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| General advice |  |
|----------------|--|
| 1.             | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.2). If a word remains undefined it has its ordinary meaning. |

## Attachment 3—Reasons for referral agency response

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

### The reasons for the SARA's decision are:

SARA assessed the development application against the following code of the State Development Assessment Provisions (SDAP) version 3.2:

- State code 7: Maritime safety
- State code 8: Coastal development and tidal works

The development complies with all relevant performance outcomes of State code 7: Maritime safety (version 3.2). Specifically:

- The development does not compromise the safe operation of vessels in navigable waterways.

The development complies with all relevant performance outcomes of State code 8: Coastal development and tidal works (version 3.2). Specifically:

- The development avoids impacts to and does not result in a significant residual impact on a matter of state environmental significance.

### Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.2), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

## Attachment 4—Representations about a referral agency response provisions

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## **Attachment 5—Documents referenced in conditions**

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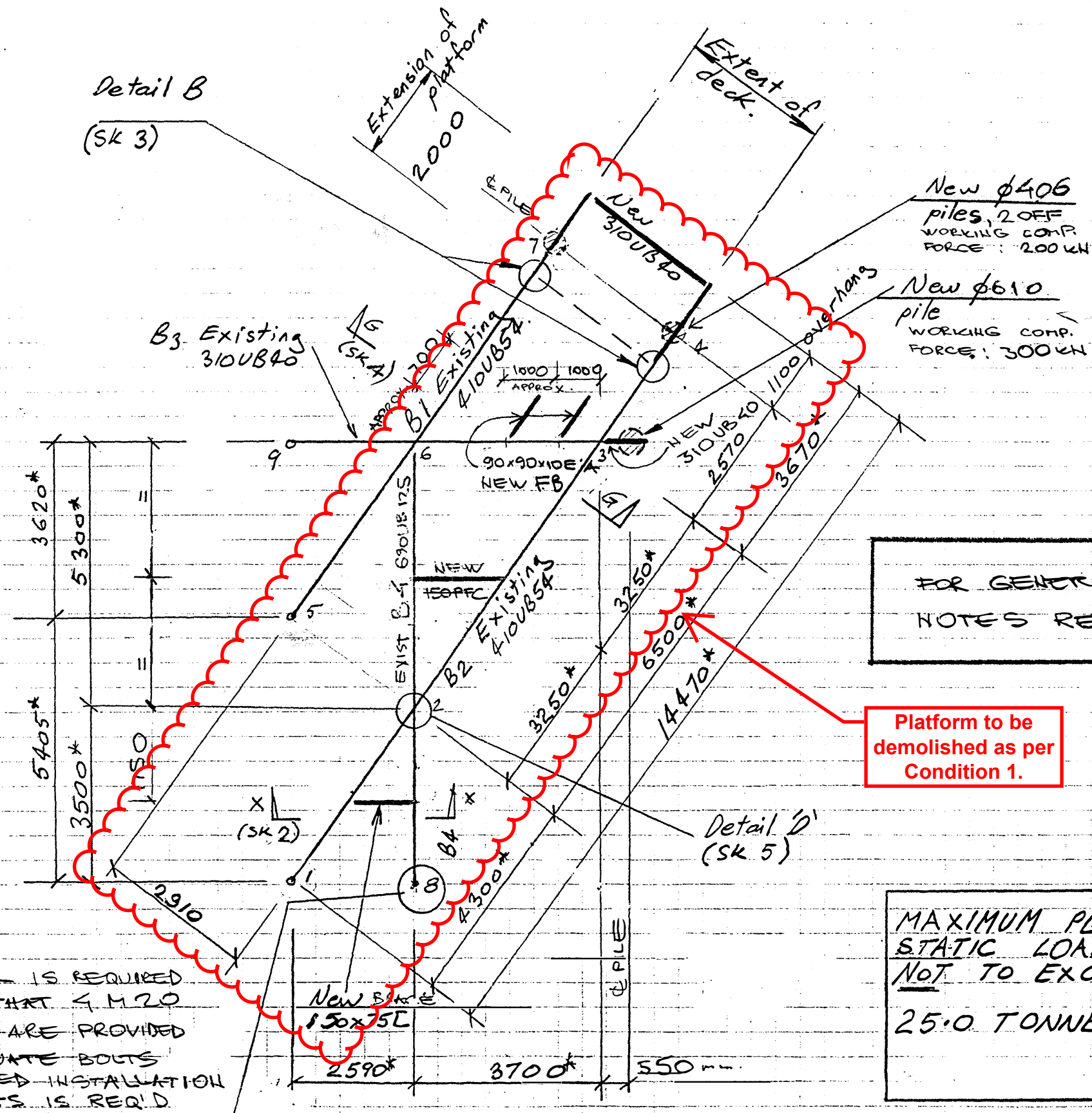
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Date: 9 April 2025

9 April 2025

Note:- Dimensions marked \* are only approximate.

- All piles to have a wall thickness of 12.7 mm.
- $\phi 610$  pile to have a yield strength of 250 MPa
- $\phi 406$  pile to have a yield strength of 350 MPa.
- Headstock support at points 1, 5, 9, 8 & 6.



4  
SITE CHECK IS REQUIRED  
TO CONFIRM THAT 4 M 20  
4.6 GRADE ARE PROVIDED  
IF NO ADEQUATE BOLTS  
ARE PROVIDED INSTALLATION  
OF NEW BOLTS IS REQ'D

MAXIMUM PLATFORM  
STATIC LOAD IS  
NOT TO EXCEED  
25.0 TONNES

R. C. Morgan RPEC 1110

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# BPT WBP Removal - Construction and Environmental Management Plan

## Brief description

This Construction and Environmental Management Plan has been developed to document Gladstone Ports Corporation's systems and controls for minimising the construction risk and environmental impact associated with the removal of the Wharf Bypass Platform (WBP) adjoining Barney Point Wharf in the Port of Gladstone.

### Document information

|                  |   |
|------------------|---|
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| Review before    |   |
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### Document accountability

| Role      | Position                   |
|-----------|----------------------------|
| Owner     |                            |
| Custodian | Technical Services Manager |

Endorsed by \_\_\_\_\_ on xx

If you require any further information, please contact the Custodian.

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The current version of this Procedure is available on GPC's Intranet.

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## 1 Terms and definitions

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In this Procedure:

“**A&I**” means Aspects and Impacts.

“**Custodian**” means under the GPC governance structure, the Custodian is accountable for monitoring the application of the system and advising the owner of the monitoring outcomes, and is also accountable for proposing system design or redesign and facilitation of conformance.

“**CEMP**” means Construction Environment Management Plan

“**EMP**” means Environmental Management Plan.

“**EMS**” means Environmental Management System,

“**GPC**” means Gladstone Ports Corporation.

“**Owner**” means under the GPC governance structure, the Owner is accountable for approval and has the authorised discretion to implement or significantly change the system.

“**PoG**” means Port of Gladstone.

“**POLREP**” means Maritime Safety Queensland Marine Pollution Report.

“**RPEQ**” means a Registered Professional Engineer with the Board of Professional Engineers of Queensland

Terms that are capitalised and not otherwise defined in this Procedure are defined in the GPC Corporate Glossary Instruction (as listed in Appendix 1 – Related documents).

## 2 Introduction

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### 2.1 Purpose

The purpose of this Construction and Environmental Management Plan (CEMP) is to manage the Construction and Environmental Risks associated with the removal of the Wharf Bypass Platform (WBP) adjoining Barney Point Wharf. It will also provide any contractors working on behalf of Gladstone Ports Corporation (GPC) with expected construction and environmental management protocols, to integrate into their work methods and practices.

### 2.2 Scope

The scope of this CEMP covers WBP Removal by Gladstone Ports Corporation (GPC) at the Port of Gladstone (PoG), engaged Contractors and all associated activities that may impact the environment.

This plan is to be read in conjunction with the Marine Execution Plan for the works.

### 2.3 Objectives

This CEMP forms part of GPC's Environmental Management System (EMS) and is intended to be a working management document to be used in the day to day operations of WBP Removal to sound construction protocols and ensure environmental best practice and legislative compliance. This CEMP provides a structured program for the management of the works to ensure that all reasonable and practicable measures will be implemented to prevent and/or minimise the likelihood of environmental harm being caused during the works.

The objective of this CEMP is to:

- (a) identify construction and environmental aspects and potential impacts;
- (b) implement control measures that minimise the potential for construction and environmental harm from the activity.
- (c) establish contingency plans and emergency procedures;
- (d) record organisational structures, accountability and responsibility;
- (e) facilitate arrangements for effective communication;
- (f) ensure all Employees and Contractors are trained and aware of legislative requirements pertaining to the works as well as commitments made in this CEMP; and
- (g) ensure appropriate records are kept.

### 2.4 Implementation

Prior to the commencement of works, this CEMP will be approved by the GPC's Technical Services Manager.

Works should not be undertaken in a way which:

- (a) contravenes this CEMP;
- (b) is inconsistent with the conditions of the statutory approvals and/or
- (c) is inconsistent with GPC's EMS.

Where there is conflict between this CEMP and documents compiled by an engaged Contractor, conditions imposed in this plan by GPC will prevail. All relevant Employees and Contractors should be introduced to and made familiar with the provisions of this CEMP and with the procedures and processes which will achieve the objectives relevant to this plan.

Following the commencement of works, amendments to this CEMP and associated documents must be communicated to and approved by the Port Infrastructure and Asset Manager.

## 3 Activity Description

### 3.1 Overview

The Barney Point Wharf was approved and constructed in 1967, where this WBP was conceived and installed in 1994 to assist crane movements on the wharf. This crane is no longer in service and therefore this WBP is no longer used as part of the Barney Point Wharf operations.

The Gladstone Ports Corporation (GPC) has identified that the wharf structure (also known as wharf bypass platform - WBP) adjoining Barney Point Wharf, is unsafe and has decided that the best course of action is to remove this structure.

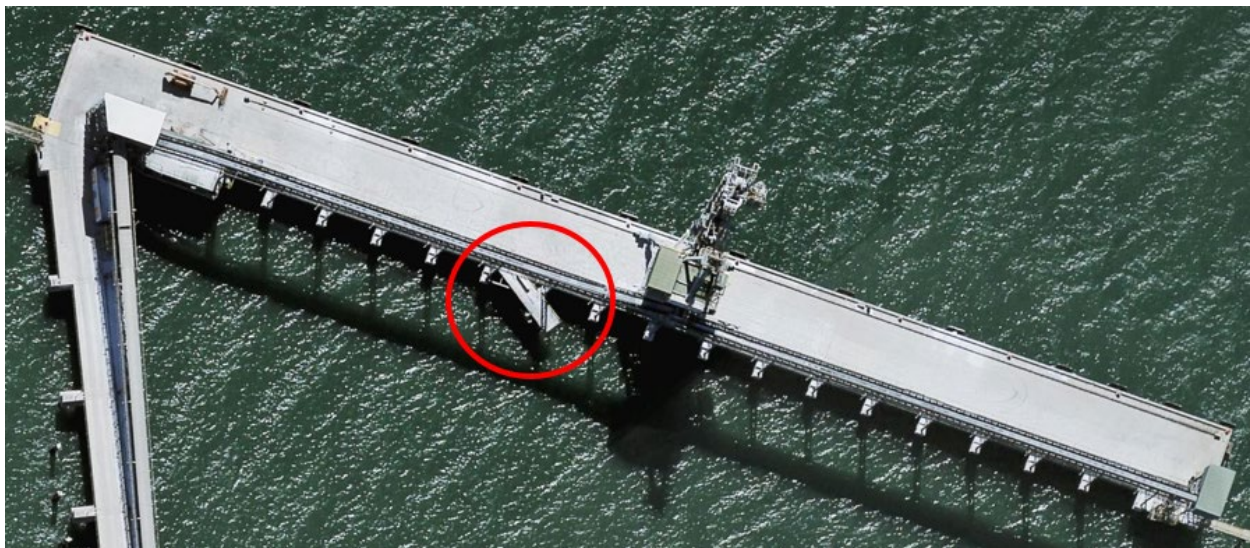


Figure 1 WBP

### 3.2 Project Scope

The methodology for the works consists of:

1. Removal of the handrails and deck using a crane from the Barney Point Wharf
2. Removal of the piles using marine civil contractor. The removal will be either pulling the piles or gas axing at the sea floor.
3. Salvaged waste Steel will be recycled.

All works will be undertaken in line with the GPCL Technical Specifications. All project drawings/plans are certified by a RPEQ.

## 4 Environmental Management System

### 4.1 Environment Management System Plan

Activities carried out by GPC conform to GPC's ISO14001 certified EMS – **Figure 4**. This CEMP and its associated documents form part of GPC's EMS.



*Figure 3 EMS schematic*

The EMS Plan #146256 is the overarching directory of the EMS for all activities within the scope of the EMS, and allows easy access to the documents contained within it. The EMS Plan is a concise overview of the framework used to manage environmental risk. The aim of the plan is to be a user friendly tool in the form of a directory to quickly guide the user to the desired area of the EMS.

The provision of services by the Contractor shall be underpinned by the implementation and continual improvement of GPC's management systems consistent with the elements of:

- (a) AS/NZS ISO 9001 Quality Management Systems;
- (b) AS/NZS ISO 14001 Environmental Management Systems;
- (c) AS/NZS 4801 Occupational Health and Safety Management Systems.

## 4.2 Policy

The GPC Environment Policy #366016 defines the overall aims and direction of GPC towards the environmental management of its activities and commitments to continual improvement. It also describes the direction and responsibilities of GPC in relation to its environmental performance.

## 4.3 Environmental Legislation

Environmental management of port operations has numerous and varied legislative controls which govern the way GPC conducts its business. To be aware and understand all of our compliance obligations GPC has developed two (2) registers.

- (a) Legal Register #1007885 describes firstly, what the legislation is and means, and secondly, how it affects GPC activities. The register is regularly updated to ensure that it captures relevant legislative changes and incorporates new development approvals, permits and registrations applicable to GPC operations.
- (b) Conditions Register #1292854 - identifies GPCs approvals, each condition and how GPC meets the condition requirements.

Table 1 below outlines the environmental approvals specific to WBP removal. A copy of the relevant approvals is provided in Appendix 2 and must be kept in a location readily accessible to the personnel carrying out the activity.

*Table 1 Statutory approvals*

| Approval / Permit | Permitted Activities |
|-------------------|----------------------|
|-------------------|----------------------|



## 4.4 Environmental Risks

GPC's Risk Management Framework provides the processes to ensure the EMS suitably identifies, analyses and evaluates, manages and monitors all aspects under the control or influence of GPC. The risk management process is an integral component of GPC's organisational and operational decision making and ensures all elements of potential impacts are assessed i.e. environmental, compliance, interested parties (stakeholders), project delivery etc.

General Environmental risks are assessed and recorded in accordance with GPC Risk Management Policy and Risk Management Standard #829152.

Project specific risks are documented in WBP Risk Assessment 2023 #1898996. All environmental, compliance and reputation residual risks rate a Low (5) or below.

Risk controls are documented and communicated in this EMP.

The implementation and effectiveness of risk controls are monitored through processes such as risk reviews, audits, inspections, incident and complaint investigations and reporting (Section 4.11).

## 4.5 GPC Environmental Objectives

The GPC Environmental Strategy #801782 establishes GPC's overall approach and priorities for environmental management. It identifies GPC's environmental objectives taking into account GPC's Environmental Policy, its environmental impacts and relevant legal and other requirements. Section 4 identifies the specific objectives that relate to WBP removal.

## 4.6 GPC Environment Standards

GPC has implemented the following Standards to provide clarity of obligations, responsibilities and expectations for environmental management:

- (a) GPC Environmental Management Standard #809151
- (b) GPC Safety, Environment and Security Standard for Contractors and Port Users #995910
- (c) GPC Earthworks and Extraction Sites Environmental Management Plan #768959

All activities must be conducted in accordance with these Standards.

## 4.7 Roles and Responsibilities

GPC Employees and Contractors are responsible for the environmental performance of their activities and compliance with the approvals relevant to this development, as detailed in Table 1 above. GPC Employees and Contractors are also responsible for complying with the general environmental duty as set out in Section 319 (1) of the EP Act which states:

*"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 minimise the harm."*

Table 2 below provides a summary of the roles and responsibilities of GPC Employees associated with the implementation of this CEMP.

*Table 2 Environmental Roles & Responsibilities*

| Role                               | Responsibility   | Reporting to   |
|------------------------------------|--|--|
| Technical Services Manager         | Contractor Management. Implementation of this CEMP and responsible for ensuring compliance obligations are met as well as reporting to the relevant authorities. | Executive General Manager Asset Management                               |
| Engineering Superintendent         | GPC contact for operational issues and management of Contractor.   | Technical Services Manager   |
| Environment Superintendent         | Overall responsibility for Environmental policy, strategy and Environmental Management System framework.   | Executive General Manager Safety and Environmental Social and Governance |
| Environmental Specialist           | Responsible for monitoring of CEMP implementation and compliance with approval conditions.   | Environment Superintendent   |
| Employees / Contractors            | Responsible for following this CEMP  | Engineering Superintendent   |
| Environment Emergency Hotline x617 | General and after hours contact for the GPC Environment team   | Environment Superintendent   |

## 4.8 Contractor Management

GPC has obligations to ensure that the activities undertaken by, or on its behalf, do not present unacceptable risks to the environment and are undertaken in a lawful manner. To ensure the activities of Contractors are identified, assessed and managed the following Contractor management controls are in place:

- Pre-qualification evaluation;
- Procurement Policy;
- Environmental Standards;
- Induction;
- Regular communication between GPC and the Contractor;
- Audits and inspections; and
- Incident investigations.

## 4.9 Measures, Plant & Equipment

GPC will install, maintain and operate all relevant measures, plant and equipment in a way which ensures compliance with the conditions of this CEMP and relevant approvals. There will be no change, replacement, alteration or operation of any plant or equipment if the change, replacement, alteration or operation will increase or is likely to substantially increase the risk of environmental harm during works.

It is the Contractor's responsibility to ensure that they install, maintain and operate all relevant measures, plant and equipment utilised in their scope of works in order to ensure compliance with the conditions of this CEMP, associated plans and relevant approvals.



## 4.10 Environmental Training

GPC ensures that Employees and Contractors working at GPC facilities have received the appropriate level of environmental training and that all relevant records are retained in accordance with the GPC's Learning and Development requirements.

GPC Employees have training and awareness delivered in a variety of ways such as Inductions, and mandatory training.

GPC shall ensure that relevant Employees (Refer to Table 2) are aware and are familiar of the requirements of this EMP and its associated documents.

It is the Contractors responsibility to ensure that all personnel, including subcontractors, are:

- (a) suitably trained for any and all activities for which training is required in order to ensure legislative compliance; and prevent environmental harm during normal operation and in emergencies;
- (b) read, understand and apply the requirements outlined in this CEMP and its associated approvals.

Untrained persons must remain under the close supervision of a suitably trained person.

Training records shall be maintained and made available on request.

## 4.11 Environmental Audits and Inspections

Internal auditing may be undertaken to confirm that activities are carried out in accordance with the defined requirements set out in this CEMP and relevant approvals. Audits are initiated and completed by the GPC Environment team or by a suitably qualified auditor. Audit reports may be provided to Regulators as and when required.

If requested by GPC, GPC Employees will be afforded access to witness, inspect, examine or audit any part of the Contractor's operations. If requested by a regulatory agency, nominees of the relevant agency will be afforded access to witness, inspect, examine or audit any part of the operations.

GPC shall carry out periodic inspections. An Annual Performance audit against this CEMP shall occur for the life of the project. Records of these inspections along with any corrective or improvement actions arising from inspections or audits will be entered into GPC's incident management system SAI360.

## 4.12 Complaints

There are several ways that GPC can become aware of environmental complaints, this includes notification from Employees, Tenants, Contractors, community members and regulators.

The Environmental Complaints Management Procedure #1044716 details how to notify, identify and escalate, respond to and review complaints ensuring effective complaints handling. Complaints received will be entered into SAI360. The records in SAI360 will include all relevant details of the incident and/or complainant, details of any immediate corrective actions, investigations and/or monitoring undertaken, conclusions formed and improvement actions identified to reduce the risk of reoccurrences.

GPC's Environment Superintendent and Engineering Superintendent must be notified by GPC Employees and/or the engaged Contractor on receipt of a complaint regarding perceived or real environmental nuisance or harm as a result of an activity specific to the works covered by the scope of this EMP and any other associated works immediately.

The following details must be collated for all complaints received. GPC will provide this information to DES on request:

- (a) time, date, name and contact details of the complainant;
- (b) reasons for the complaint;
- (c) any investigations undertaken;
- (d) conclusions formed; and
- (e) any actions taken to resolve the complaint.

#### 4.13 Incidents

GPC's Environment Superintendent and Engineering Superintendent must be notified after GPC and/or engaged Contractor has become aware of any non-compliance.

- (a) This notification is to take place in accordance with the following methods and timeframes:
- (b) verbal notification immediately after occurrence of incident to GPC's Environment Superintendent;
- (c) written notification within 24 hours of occurrence of incident to GPC's Environment Superintendent.

GPC must notify GPC Environment Hotline (07) 49761617 of the occurrence of the following incidents:

- (d) release/spill of contaminants greater than 250L to land
- (e) release / spill of contaminants any amount to water
- (f) any environmental complaints received
- (g) non-compliance with conditions of approval.

GPC must notify DES of any incident resulting from activities undertaken as part of the works which:

- (h) causes or has the potential to cause environmental harm;
- (i) is unlawful (e.g. works outside approved footprint);
- (j) involves the release of a contaminant (not allowed by approvals);
- (k) identifies a new environmental risk;
- (l) adversely impacts an environmental value;
- (m) is a breach of a condition of an approval; or
- (n) is not in accordance with the relevant approvals and /or permits.

GPC or the Contractor must telephone DES's Pollution Hotline (1300 130 372) immediately after becoming aware of any incident involving injury, fatality or other harm to any species of marine megafauna during intertidal activities.

If GPC and/or engaged Contractor becomes aware of material environmental harm or serious environmental harm as a result of carrying out the activities covered by the scope of this EMP or other associated works, then the said activity(s) must be ceased immediately.

If at any time during the activity an environmental incident occurs or an environmental risk is identified, all reasonable measures must be taken by GPC to mitigate the risk or impact.

For Oil spills into marine waters MSQ shall be notified of marine spills using a Pollution report (POLREP) form Appendix 3 as per MSQ First Strike Response Plan – Port of Gladstone ([Queensland Coastal Contingency Action Plan \(QCCAP\) \(Maritime Safety Queensland\) \(msq.qld.gov.au\)](https://www.msq.qld.gov.au)).

For biosecurity incidents notify the Department of Agriculture, Water and the Environment.

Incidents are recorded in the SAI360 system and holds all relevant details of the incident including immediate corrective actions, investigations and/or monitoring undertaken, conclusions formed and improvement actions identified to reduce the risk of reoccurrences.

Written advice will be provided by to the relevant administering authorities. The following details may be required:

- (o) name of the registered operator, including development approval number;
- (p) the name and telephone number of a designated contact person;
- (q) the location of the release/event;
- (r) the time of the release/event;
- (s) the suspected cause of the release/event;
- (t) the sensitive receptor(s) that may have been impacted;
- (u) a description of the resulting effects of the release/event;
- (v) the results of any sampling performed in relation to the release/event;
- (w) actions taken to mitigate any environmental harm and or environmental nuisance caused by the release/event; and
- (x) proposed actions to prevent a recurrence of the release/event.

GPC's Incident Management and Investigation Procedure #1075526 is used to guide incident reporting, external notifications, investigations and corrective actions including record keeping requirements.

#### 4.14 Emergency Preparedness

GPC has developed the Risk Management Policy #924357, Business Resilience Standard #852778 and Crisis Management Procedure #872678 which provides a framework for ensuring GPC develops and maintains capacity to efficiently prepare for, respond to, and recover from, an emergency, major business disruption and/or crisis event.

Under a Deed of Agreement between Maritime Safety Queensland (MSQ) and GPC, GPC is responsible for first-strike response to oil spills, within the boundaries of the port, in accordance with the MSQ First-strike Oil Response Plan.

All emergencies and incidents must be reported as per Section 4.13 of this plan. However in the event of an oil/hazardous substance spill to water, the Harbour Master (07 4973 1200) is to be contacted immediately. Secondary contact is to then be made with the First Strike Oil Response Team Leader on 0409 629 413.

This section is to be read in conjunction with the MSQ approved Marine Execution Plan (MEP).

Contingency Planning - Although management measures cover most potential impacts, contingency arrangements are required in the event of emergency or abnormal operations. These may include but are not limited to:

- (i) Adverse weather conditions (e.g. Cyclones); and
- (ii) Marine incidents.

In abnormal operating circumstances, the Environment Superintendent and Engineering Superintendent shall be contacted to formulate and advise the Vessel Master of GPC's preferred course of action to minimise environmental harm. It is noted that the Vessel Master has ultimate responsibility for the vessel and crew, so will make decisions based on risk with consideration to GPC's advice. The Vessel Master is also responsible for consulting with MSQ and ensuring their requirements are met.

## 4.15 Records

All records required by this CEMP, associated documents and the relevant approvals must be kept for at least five (5) years. Records will be kept in either of the following secure repositories:

- (a) GPC's SAI360 System – and/or;
- (b) GPC's Document Management System – EDocs.

*All records must be provided by the Contractor to GPC upon request and/or at the completion of activities. Records shall be retained for verification and audit purposes. Record Keeping requirements are displayed in Table 3 and information to be provided to external parties is outlined in*

Table 3 Record keeping

| Record Type                       | Details               |
|-----------------------------------|-----------------------|
| Environmental Risks               | Refer to Section 4.4  |
| Contractor Management             | Refer to Section 4.8  |
| Measure Plant and Equipment       | Refer to Section 4.9  |
| Training Records                  | Refer to Section 4.10 |
| Internal audits and inspections   | Refer to Section 4.11 |
| Complaints                        | Refer to Section 4.12 |
| Incidents                         | Refer to Section 4.13 |
| Emergencies                       | Refer to Section 4.14 |
| Waste                             | Refer to Section 5.5  |
| Marine Vessel Interaction         | Refer to Section 6.1  |
| Erosion and Sediment Control Plan | Refer to Section 6.2  |
| Traffic Management Plan           | Refer to Section 6.5  |

Table 4 Provision of information to external parties

| Information Type  | External Party     | Details                             |
|---|--------------------|-------------------------------------|
| Incident Notification and Reports on a breach of a condition, environmental harm or other legislative requirement | Relevant regulator | Refer to Section 4.13 and Section 5 |

All other approval notifications are included in the CEMP Section 4.10 Records

## 4.16 Communication and Consultation

The Engineering Superintendent is the main point of contact with the Port stakeholders and Contractor/s.

Effective communications ensure that planning and execution minimises impact from the project. The table below outlines who is communicated with, how that will occur and the frequency of communications.

GPC is the main point of contact for external parties. However the contractor/s, will initiate emergency response calls, incident and complaint notification to GPC, investigation and reporting for works under their contract scope and the scope of their CEMP. The Contractor will initiate emergency response calls for any matters outside of their scope of works in the event that GPC main point of contact is unavailable.

## 4.17 Review

This CEMP, its operation and implementation, and its associated documents will be reviewed a result of:

- (a) findings of internal and external inspections and/or audits;
- (b) changes in legislation or approvals;
- (c) incident and / or complaint investigations; or
- (d) in the event a performance indicator (Section 5) is not met.

The review process is necessary to ensure currency, relevance and accuracy. Revisions are kept as a new version in GPC's document management system, eDocs, and must be communicated to all relevant GPC Employees and engaged contractors.

These changes will be captured in Section 7 – Document Version Control.

## 5 Environmental Risk Management

The project has two distinct steps:

- 1. Removal of the handrails and deck
- 2. Removal of the piles

*Table 5 – relevant Environmental Aspects relating to each step (x denotes environmental risk)*

| Aspect               | Step 1 | Step 2 |
|----------------------|--------|--------|
| Air Quality          | x      |        |
| Marine Waters Impact | x      | x      |
| Waste Management     | x      | x      |
| Biodiversity         |        | x      |
| Social               | x      | x      |

### 5.1 Air Quality – Noise, Vibration, Emissions and Lighting

The release of airborne contaminants from operational activities poses a potential environmental risk to operators, nearby neighbours and the surrounding environment. Air quality management associated noise, vibration and emissions can occur during the project milestones due to the use of vessels, heavy machinery, demolition, and the handling of steel.

**Objectives** To avoid causing an environmental nuisance at any nuisance sensitive place.

Compliance with approval conditions and legislation.

|                               |  |   |
|-------------------------------|--|---|
| <b>Potential Impacts</b>      | The works may cause an environmental nuisance as described in the EP Act 1994  |   |
| <b>Control Strategy</b>       | <ul style="list-style-type: none"> <li>• Management of plant and equipment.</li> <li>• Hours of work</li> <li>• Management of complaints and incidents.</li> </ul> |   |
| <b>Actions</b>                | 1  | Construction activity working hours are typically 7 days per week. No night work.   |
|                               | 2  | To reduce the creation of emissions, noise and vibration, plant and equipment to be serviced as per manufactures recommendations and inspected regularly.                   |
|                               | 3  | Noise suppression devices fitted to plant and equipment if possible / practical.  |
|                               | 4  | Schedule maintenance and / or corrective actions as required for equipment issues   |
|                               | 5  | Vessel and vehicle log books are maintained.  |
|                               | 6  | Follow <a href="#">Complaints Management Procedure</a>  |
|                               | 7  | Section 5.8 Social<br>Noise or vibration monitoring may be undertaken at GPC's discretion or in accordance with approval conditions to investigate a complaint or incident. |
| <b>Performance Indicators</b> | 1  | No air quality related complaints.  |

## 5.2 Marine Waters Impact

The removal of piles may cause localised impact to the sea floor and generate plume. Use of vessels and marine equipment may also affect marine water quality if spills occur.

*Note: No Acid Sulfate Soils will be disturbed as a result of this activity.*

**Objectives** Ensure water quality is maintained and to mitigate any water quality risks;  
Compliance with approval conditions and legislation.

|                          |   |   |
|--------------------------|---|---|
| <b>Potential Impacts</b> | Poor water quality can have a detrimental impact on marine flora and fauna.   |   |
| <b>Control Strategy</b>  | <ul style="list-style-type: none"> <li>• Actions are implemented to ensure that any turbidity plumes are identified and managed appropriately.</li> </ul> |   |
| <b>Actions</b>           | 1   | Section 5.5 Waste Management, which includes management of equipment spills |

|                               |    |  |
|-------------------------------|----|--|
|                               | 2  | Vessel log books are maintained  |
|                               | 3. | Daily plume monitoring when removing piles. Stop work if plumes exceed 50m and investigate alternative work methods. |
| <b>Performance Indicators</b> | 1  | No incidents / complaints pertaining to marine water impact from the works.  |

### 5.3 Waste Management

#### (a) Substances Handling and Storage

Vessels and Heavy machinery uses a diesel engine and hydraulic oils. These substances need to be managed to protect the environment.

During demolition and activities, material may fall to the sea bed and this waste must be removed.

**Objectives**

Prevent the release of contaminants to the receiving environment;

Manage wastes and spills to prevent environmental harm;

Compliance with approval conditions and legislation.

|                          |   |   |
|--------------------------|---|---|
| <b>Potential Impacts</b> | Poor practices with substance handling, storage and spill response can lead to marine pollution as well as non-conformance with legislation.  |   |
| <b>Control Strategy</b>  | <ul style="list-style-type: none"> <li>To contain and control fuels, oils and greases</li> <li>To ensure good housekeeping and maintenance of equipment</li> <li>To clean up spills effectively.</li> </ul> |   |
| <b>Actions</b>           | 1   | Spill response equipment is available, procedures are implemented and users are suitably trained.   |
|                          | 2   | Regular housekeeping and maintenance of work areas, storage areas, transfer equipment and spill equipment.  |
|                          | 3   | Seabed will be cleared of any material / debris that has fallen in during construction. This will be done promptly when identified during construction, so at the end of the works there is no deposited material on the seabed.<br><br>Upon completion of construction written confirmation shall be provided to GPC Planning that the seabed is clear of debris/ foreign material |
|                          | 4   | Ensure that substances are handled and stored in a manner that prevents environmental harm.   |
|                          | 5   | Maintain a register of substances stored / used on the dredge and SDS sheets will be available.   |



|                               |   |  |
|-------------------------------|---|--|
|                               | 6 | Undertake appropriate checks and preventative maintenance of plant and equipment to minimise leaks and spills. |
| <b>Performance Indicators</b> | 1 | No incidents or complaints involving substances that cause environmental harm or nuisance.                     |
|                               | 2 | Effective and efficient clean-up of all spills and removal of contamination.                                   |
|                               | 3 | Correct disposal of contaminated products.   |

(b) Waste (including Regulated Waste)

There are many waste products generated during the works and may be generated because of incidents. Wastes include general waste and recyclables, chemical and hydrocarbon wastes. Some of these wastes are classified as regulated wastes, as listed in schedule 9 part 1 of the Queensland *Environment Protection Regulation 2019* (the Regulation), and requires appropriate storage, transport, disposal and tracking in accordance with the Regulation.

Handling of steel may cause small losses to the environment when handled.

**Objectives**

- Undertake appropriate and lawful waste management
- Prevent the release of contaminants to the receiving environment;
- Compliance with approval conditions and legislation.

|                          |  |
|--------------------------|--|
| <b>Potential Impacts</b> | Poor management of wastes can lead to contaminated work areas and possible harm or approval non-compliance   |
| <b>Control Strategy</b>  | <ul style="list-style-type: none"> <li>Undertake appropriate regulated waste tracking</li> <li>Manage waste generation, storage, transport and disposal</li> </ul>   |
| <b>Actions</b>           | 1 Keep appropriate tracking records when regulated waste is removed from the worksite. All regulated waste must be transported by Licensed Contractors to be disposed at a Licensed Place.   |
|                          | 2 Make appropriate provisions for waste segregation and storage by ensuring that adequate storage capacity is maintained and that no waste remains at work site at the completion of works.  |
|                          | 3 Ensure that wastes are stored, handled, transported and disposed of appropriately.<br><br>Use the waste hierarchy of controls to determine fate of waste stream (Reduce, Reuse, Recycle, Recover, Dispose).<br><br>Always use a risk management approach to waste management considering safety, health and environment aspects. |



|                               |   |   |
|-------------------------------|---|---|
|                               | 4 | Have a specific laydown area for demolition materials   |
|                               | 5 | Any spills shall be cleaned up as soon as practicable.  |
|                               | 7 | Ensure that regulated wastes are contained and controlled in a manner that prevents environmental harm. All bunding will be appropriately sized for the application and capacity maintained (e.g. kept free of rain water). |
|                               | 8 | Waste must not be burnt.  |
|                               | 9 | Undertake appropriate checks of waste storage facilities to minimise leaks or spills and ensure waste is being managed appropriately.   |
| <b>Performance Indicators</b> | 1 | No incidents or complaints pertaining to waste management that cause environmental harm or nuisance.  |
|                               | 2 | Effective and efficient clean-up of all spills and removal of contamination.  |
|                               | 3 | Correct storage, transport and disposal of waste products including tracking for regulated wastes.  |

## 5.4 Biodiversity

### (a) Fauna

Marine works has the potential to have an impact on marine megafauna. Underwater noise generated from the WBP removal activity may affect marine megafauna.

**Objectives** Minimisation of impacts on marine megafauna.  
Compliance with approval conditions and legislation.

|                          |   |
|--------------------------|---|
| <b>Potential Impacts</b> | Harm to marine megafauna may affect the sustainability and diversity of their populations in the PoG and the broader area.  |
| <b>Control Strategy</b>  | <ul style="list-style-type: none"> <li>Limit hours of work</li> <li>Marine spotters</li> </ul>  |
| <b>Actions</b>           | 1 Hours of works (see Section 5.1 Air Quality)  |
|                          | 2 The marine spotters shall compile a daily log of marine species observed within the work area, including date/time/direction/ approximate distance/ individual or cluster and action taken. Refer to 4.15 Record Keeping<br><br>If megafauna is observed within 100m of the works. Stop work and only resume when the megafauna has moved away from the area.<br><br>Vessel and vehicle log books are maintained. |

|                               |   |   |
|-------------------------------|---|---|
|                               | 3 | In the event of marine megafauna incidents, GPC shall follow the <i>Flora and Fauna Management Guideline #1257595</i> . |
| <b>Performance Indicators</b> | 1 | No fatalities or injuries / incident or complaints of marine megafauna associated with the works.                       |

(b)

#### Flora

Removal of three (3) piles which have marine growth and revert this area back to natural.

**Objectives** Minimisation of impacts on marine plants.  
Compliance with approval conditions and legislation.

|                               |   |   |
|-------------------------------|---|---|
| <b>Potential Impacts</b>      | Reduction in marine plants may affect the sustainability and diversity of their populations in the PoG and the broader area.                                      |   |
| <b>Control Strategy</b>       | <ul style="list-style-type: none"> <li>Only remove the three (3) piles and ensure waste handling of marine plants</li> <li>Provide offsets if required</li> </ul> |   |
| <b>Actions</b>                | 1   | <a href="#">DOCSCQPA-#1730208-ENV Technical Memo GPCL In House BPT Wharf Bypass Platform Removal Benthic Assessment 20 August 2021.docx</a> will guide costs payable for marine plant disturbance.<br><br>Ensure any affected marine plants are removed from marine waters and disposed of as vegetative waste. |
| <b>Performance Indicators</b> | 1   | No working outside marine footprint   |

(c)

#### Biosecurity

Introduction of marine pests have the ability to adversely affect the biodiversity of the area. The *Biosecurity Act 2015*, places obligations and responsibilities on First Ports of Entry (FPOE's) to assist in management of biosecurity risks associated with marine activities and port operation.

**Objectives** Manage marine biosecurity risks  
Compliance with legislation.

|                          |   |   |
|--------------------------|---|---|
| <b>Potential Impacts</b> | Increased competition, predation or disease will affect existing marine flora and fauna.  |   |
| <b>Control Strategy</b>  | <ul style="list-style-type: none"> <li>Where possible use of the intertidal equipment which is already located in Australian waters.</li> <li>Compliance with legislation.</li> </ul> |   |
| <b>Actions</b>           | 1   | Use of Australian based marine equipment, where this is not possible a vessel survey to be conducted. |

|                               |   |   |
|-------------------------------|---|---|
|                               | 2 | Should a marine pest be noted during works, notify as per Section 4.13. GPC's Environment team will notify regulatory authorities and follow directions given |
| <b>Performance Indicators</b> | 1 | No marine pest incursion associated with the works.   |

## 5.5 Social

GPC activities and the City of Gladstone are intertwined both geographically and historically. A harmonious relationship is desired for GPC to continue to operate effectively. The management of stakeholders and community relations associated with the activity is described below.

**Objectives** Positive public perception and acceptance of GPC activities  
Not cause environmental nuisance.

|                               |  |   |
|-------------------------------|--|---|
| <b>Potential Impacts</b>      | Poor public perception and acceptance could lead to a disconnect between GPC and the community, making operations unwanted and unpopular.  |   |
| <b>Control Strategy</b>       | <ul style="list-style-type: none"> <li>To provide a mechanism to receive public complaints and a process to address them.</li> <li>Operate in accordance with approvals and legislation</li> </ul> |   |
| <b>Actions</b>                | 1  | All complaints or incidents that are received shall be reported as per Sections 4.12-13.                  |
|                               | 2  | GPC and the Contractor should operate with due diligence and in accordance with approvals and legislation |
| <b>Performance Indicators</b> | 1  | No public complaints as a result of the works.  |

## 6 Construction Risk Management

The project has two distinct steps:

1. Removal of the handrails and deck
2. Removal of the piles

Table 6 – relevant Construction Aspects relating to each step (x denotes construction risk)

| Aspect                    | Step 1 | Step 2 |
|---------------------------|--------|--------|
| Marine Vessel Interaction |        | x      |
| Traffic Management        | x      |        |
| Fit for Purpose           | x      | x      |

## 6.1 Marine Vessel Interaction

While there is a very low risk due to its location in the marine restricted zone on the landside of the Barney Point Wharf, the WBP Removal may interact with other marine vessels.

**Objectives** To avoid causing any impact to maritime operations and maritime safety.

|                         |  |   |
|-------------------------|--|---|
| <b>Potential Risk</b>   | Vessels with restrictions in movement can increase the risk of marine collision.     |   |
| <b>Control Strategy</b> | <ul style="list-style-type: none"> <li><i>Marine Execution Plan (MEP)</i></li> </ul> |   |
| <b>Actions</b>          | 1  | Develop and execute a MEP that is acceptable to Regional Harbour Master Gladstone (RHM) Maritime Safety Queensland (MSQ) and GPC Planning |
|                         | 2  | Routine inspections against the MEP.  |
|                         | 3  | No night work, therefore no impact on navigational aids   |

## 6.2 Traffic Management

A Traffic Management Plan is required to ensure project related vehicle movements are managed appropriately. This includes detailing any nominated vehicle haul roads, maximum design vehicles, vehicle loading/unloading, car parking and vehicle manoeuvring / turnaround.

**Objectives** To have a defined traffic management system for the project.

|                         |   |   |
|-------------------------|---|---|
| <b>Potential Risks</b>  | Poor traffic management may lead to infrastructure damage or collision of vehicles.   |   |
| <b>Control Strategy</b> | <ul style="list-style-type: none"> <li>Implement a <i>Traffic Management Plan (TMP)</i> that considers all of project risks.</li> </ul> |   |
| <b>Actions</b>          | 1   | Develop and implement a TMP   |
|                         | 2   | The TMP will include traffic access points / routes and designated laydown areas. |
|                         | 3   | Routine inspections against the TMP.  |

## 6.3 Fit for Purpose

The project is decommissioning activity, so must be decommissioned in a fit for purpose fashion, as the in water infrastructure remains and the area may be developed again in the future for industrial uses.

**Objectives** The overall aim of the project is to deliver 'Fit for Purpose' WBP removal.

|                       |  |
|-----------------------|--|
| <b>Potential Risk</b> | Poor workmanship can lead to the infrastructure not being fit for purpose or causing safety or maritime safety issues. |
|-----------------------|--|

|                         |   |   |
|-------------------------|---|---|
| <b>Control Strategy</b> | <ul style="list-style-type: none"> <li>Engineering certification that the project was delivered as 'Fit for Purpose' and in alignment with the development approval.</li> </ul> |   |
| <b>Actions</b>          | 1   | <p>See Appendix 5: 'As constructed drawings'. These will be submitted to GPC Planning prior to the commencement of works.</p> <p>RPEQ certification: These drawings will show that the infrastructure and services are fit for purpose with all relevant Australian Standards. These will be submitted to GPC Planning after completion of works.</p> |
|                         | 2   | If any structural consequences are noticed these must be re-instated in alignment with the approved drawings. Any faulty materials must be removed and disposed as per Section 5.5 Waste Management.  |
|                         | 3   | Routine inspections during the project against the approved drawings.   |

## 7 Appendices

### 7.1 Appendix 1 – Related documents

(a) Legislation and regulation

Key relevant legislation and regulation, as amended from time to time, includes but is not limited to:

| Type         | Legislation/regulation  |
|--------------|---|
| Federal Acts | <p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Biosecurity Act 2015</i></p>  |
| State Acts   | <p><i>Environmental Protection Act 1994</i></p> <p><i>Coastal Protection and Management Act 1995</i></p> <p><i>Fisheries Act 1994</i></p> <p><i>Transport Operations (Marine Safety) Act 1994</i></p> |
| Other        | International Convention for the Prevention of Pollution from Ships - MARPOL  |

(b) Gladstone Ports Corporation documents

The following documents relate to this Plan:

| Type                             | Document number and title   |
|----------------------------------|---|
| <b>Tier 1: Policy</b>            | <p>#366016 Environment Policy</p> <p>#924357 Risk Management Policy</p> |
| <b>Tier 2: Standard/Strategy</b> | #801782 Environment Strategy  |

| Type  | Document number and title   |
|---|---|
|   | #809151 Environmental Management Standard<br>#995910 Safety Environment and Security Standard for Contractors and Port Users<br>#829152 Risk Management Standard<br>#1334976 Waste Management Strategy  |
| <b>Tier 3:</b> Specification/ Procedure/Plan        | #146256 EMS Plan<br>#1075526 Incident and Hazard Management Procedure<br>#1044716 Environmental Complaints Management Procedure<br>#1092028 MSQ First-strike Oil Response Plan<br>#1257595 Flora and Fauna Management Guideline   |
| <b>Tier 4:</b> Instruction/Form/ Template/Checklist | #1007885 Legal and Other Requirements Register<br>#1292854 Conditions Register<br>#764185 Risk Register<br>#843113 Regulatory Training Matrix<br>#1216609 Spill Management – Training<br>#101314 Incident Management and Reporting<br>#1621179 GPC Corporate Glossary Instruction |

## 7.2 Appendix 2 – Approvals

## 7.3 Appendix 3 – POLREP (Maritime Safety Queensland Marine Pollution Report)

### Marine Pollution Report (POLREP)



To: Pollution Response Unit Fax number: (07) 3120 7420

Urgent ☐ Standard ☐ Information only ☐

This form is used to record the initial details of a reported/sighted marine pollution spill. The form is faxed to the Pollution Response Unit on the fax number listed.

|  |   |   |   |   |  |
|--|---|---|---|---|--|
| Date of incident<br><input style="width: 100%;" type="text"/>  |   | Time of incident<br><input style="width: 100%;" type="text"/> |   | <div style="border: 1px solid black; padding: 5px;"> POLREP ID number <input style="width: 100%;" type="text"/><br/> Incident investigation Yes <input type="checkbox"/> No <input type="checkbox"/><br/> Marine incident number <input style="width: 100%;" type="text"/><br/> Category <input style="width: 100%;" type="text"/> </div> |  |
| Location of pollution  |   |   |   |   |  |
| Lat  | <input style="width: 100%;" type="text"/> | Long  | <input style="width: 100%;" type="text"/> |   |  |
| Location<br><input style="width: 100%;" type="text"/>  |   |   |   |   |  |
| Pollution source Ship <input type="checkbox"/> Land <input type="checkbox"/> Unknown <input type="checkbox"/><br>Ship type Recreational <input type="checkbox"/> Commercial <input type="checkbox"/> Fishing <input type="checkbox"/> Trading ship <input type="checkbox"/> Tanker <input type="checkbox"/><br>Ship name <input style="width: 400%;" type="text"/> Ship registration <input style="width: 400%;" type="text"/><br>Pollutant<br>Sheen <input type="checkbox"/> Diesel <input type="checkbox"/> Bilge <input type="checkbox"/> HFO <input type="checkbox"/> Other <input type="checkbox"/> <input style="width: 200%;" type="text"/><br>Extent<br>Size of the slick (length and width in meter) <input style="width: 150%;" type="text"/> or <input style="width: 100%;" type="text"/> Litre |   |   |   |   |  |
| Report details<br>Has the discharge stopped? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/><br>Weather conditions (tide and wind) <input style="width: 500%;" type="text"/><br>Photos taken <input type="checkbox"/> Video taken <input type="checkbox"/> Samples taken <input type="checkbox"/> Sample taken by <input style="width: 200%;" type="text"/><br>Original report source<br><input style="width: 300%;" type="text"/><br>Statutory agency <input style="width: 300%;" type="text"/> Combat agency <input style="width: 300%;" type="text"/><br>Initial response brief<br><div style="border: 1px solid black; height: 40px; width: 100%;"></div>  |   |   |   |   |  |
| Sender details<br>Name <input style="width: 300%;" type="text"/> Position <input style="width: 400%;" type="text"/><br>Agency <input style="width: 200%;" type="text"/> Contact phone (mobile/office) <input style="width: 200%;" type="text"/> Fax number <input style="width: 150%;" type="text"/><br>Signature <input style="width: 150%;" type="text"/> Date <input style="width: 100%;" type="text"/> Time <input style="width: 100%;" type="text"/>  |   |   |   |   |  |



## 7.4 Appendix 5 – Revision history

| Revision date | Revision description | Authors          | Endorsed by | Approved by |
|---------------|----------------------|------------------|-------------|-------------|
| 11/09/2023    | v1 draft             | T Tobin /A Smith |             |             |
|               |                      |                  |             |             |
|               |                      |                  |             |             |
|               |                      |                  |             |             |
|               |                      |                  |             |             |

# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

---

### 28 Concurrence agency changes its response or gives a late response

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

---

<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

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

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

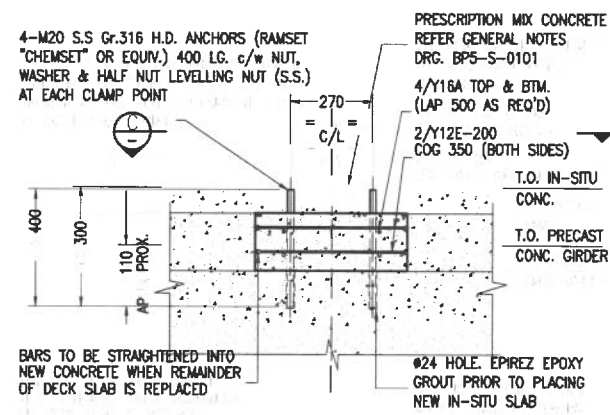
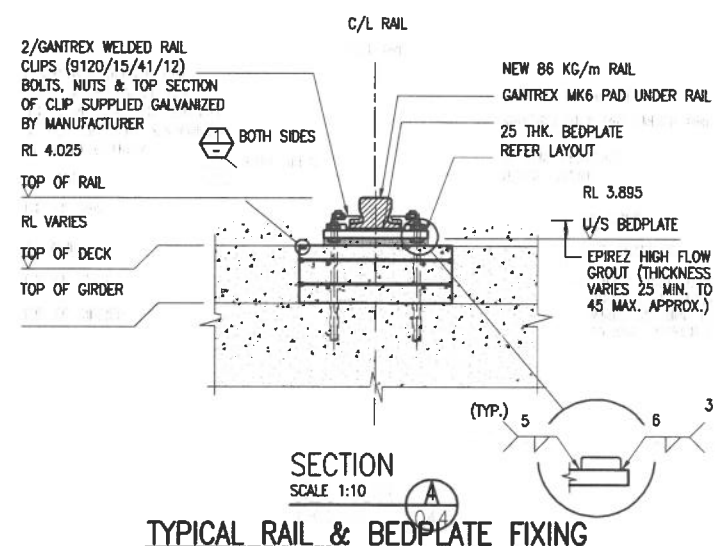
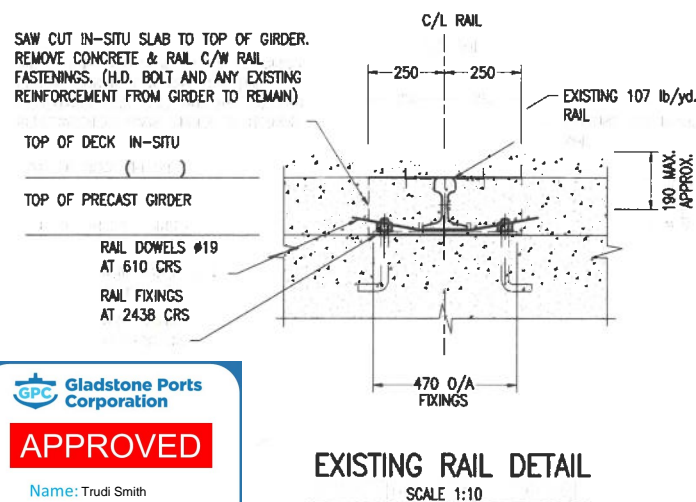
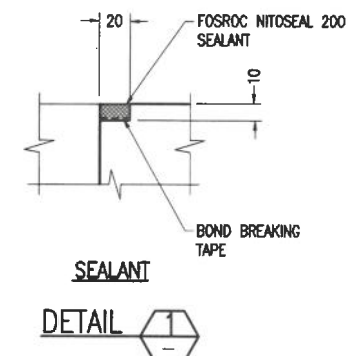
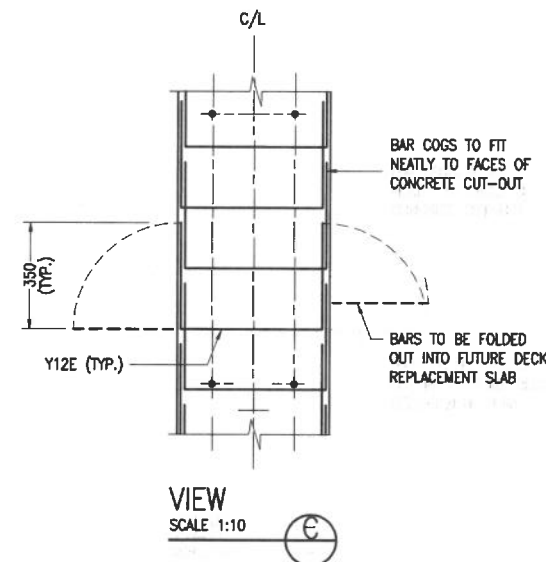
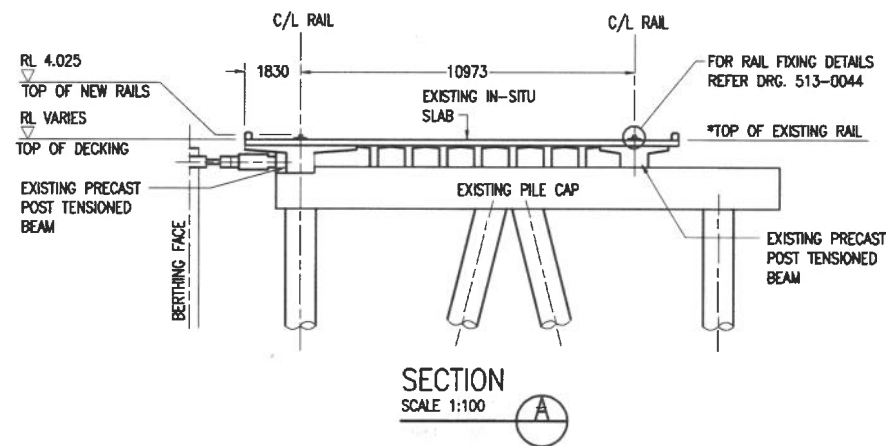
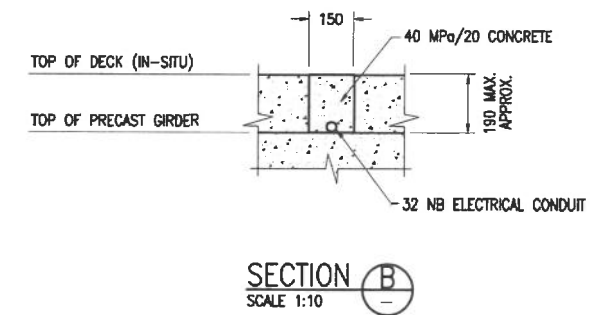
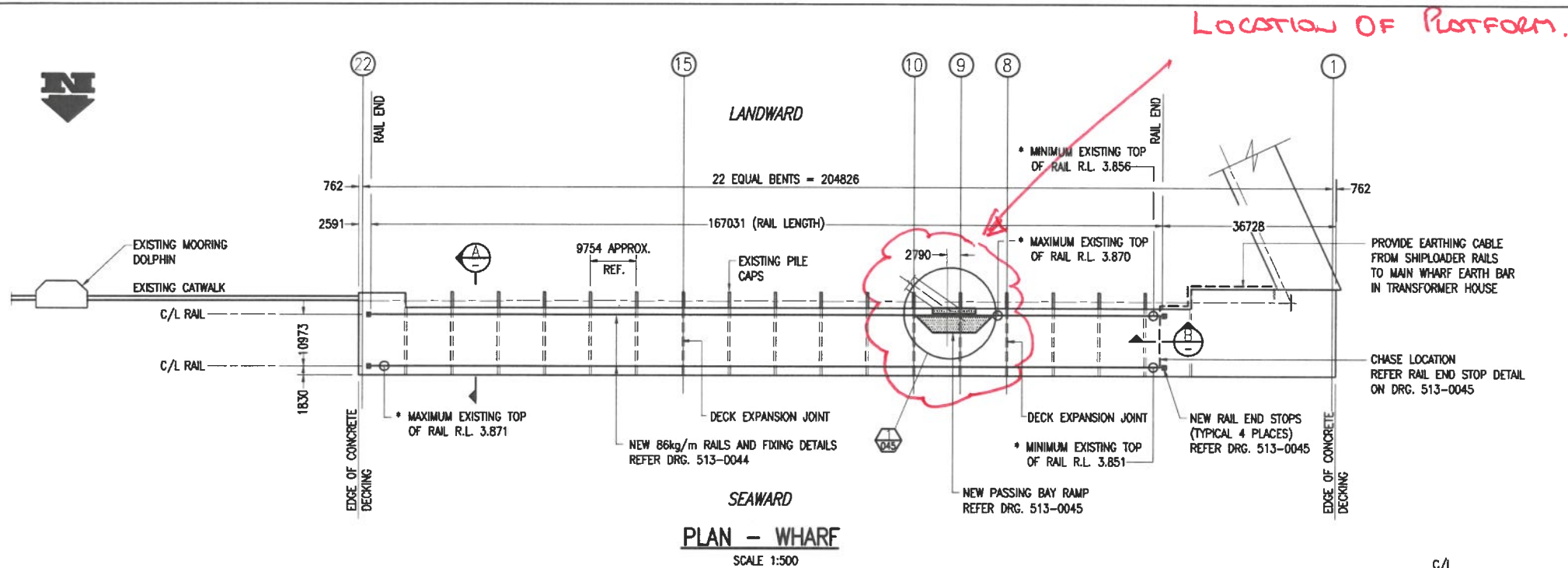
30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

---

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

## Attachment 2    Approved Plans and Specifications

---



**DATUM (AHD)**

\* TOP OF EXISTING RAIL HAS BEEN TAKEN AT R.L.3.860m. THIS IS AN AVERAGE OF MINIMUM AND MAXIMUM LEVELS AS SURVEYED BY JONES FLINT AND PIKE 27.6.95 (DRG. No. G2258-10). R.L. 3.860m WILL BE TAKEN TO EQUAL 20' 0" TOP OF RAIL ON THE EXISTING IMPERIAL DRAWINGS.

**NOTES**

1. FOR GENERAL NOTES REFER DRG. BP5-S-0101 (NO GPA RECORD)



EXISTING RAIL DETAIL  
SCALE 1:10

SECTION  
SCALE 1:10  
TYPICAL RAIL & BEDPLATE FIXING

LA RIT  
BEDP TE SCALE 1:10  
DETAIL

**FOR DEMOLITION**

| NO. | BY | DATE     | FOR TENDER      | DESCRIPTION                          | APPR | DRG      | NO.                    | DESCRIPTION                        | APPR | NO.      | DESCRIPTION            | APPR                               | NO.  | DESCRIPTION | APPR                   | NO.                                | DESCRIPTION | APPR     | NO.                    | DESCRIPTION                        | APPR |
|-----|----|----------|-----------------|--------------------------------------|------|----------|------------------------|------------------------------------|------|----------|------------------------|------------------------------------|------|-------------|------------------------|------------------------------------|-------------|----------|------------------------|------------------------------------|------|
| 1   | SB | 18.12.95 | ISSUED          | FOR CONSTRUCTION                     | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043    | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H.        | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. |
| 2   | LR | 13.5.96  | ISSUED          | STANDARDS, NEW BORDER & NUMBER ADDED | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043    | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H.        | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. |
| 3   | SB | 28.11.99 | UPGRADED TO GPA |                                      | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. | 513-0043    | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H.        | 513-0043 | WHARF RAIL REPLACEMENT | ENDSTOP & PASSING BAY RAMP DETAILS | K.H. |

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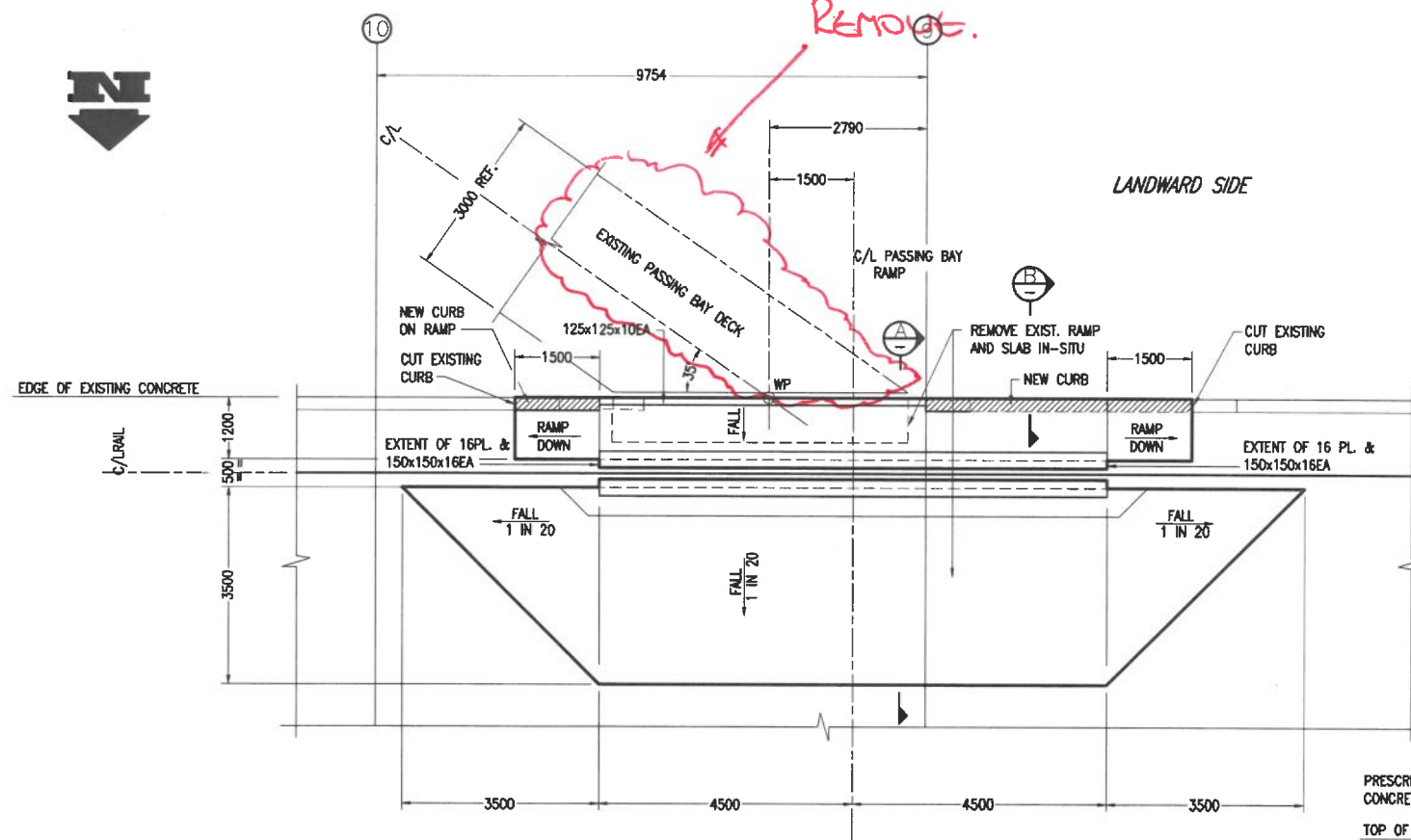
3RD ANGLE PROJECTION  
U.N.O.  
ALL DIMENSIONS IN MILLIMETRES U.N.O.  
DO NOT SCALE

SCALE AT B1: 1:500  
DRAWN D.BRADY 18.12.95  
ENGR ACUMMINS 18.12.95  
APPRO

GLADSTONE PORT AUTH  
BARNEY POINT COAL TERMINAL  
SHIPLOADER UPGRADE  
WHARF RAIL REPLACEMENT  
ARRANGEMENT

DRAWING NO. 009001  
513-0043  
REV 1  
B1





PRESCRIPTION MIX CONCRETE

TOP OF DECK

TOP OF PRECAST CONCRETE GIRDER

M24 GALV. BOLTS (GR. 8.8/S)  
GROUTED INTO DECK USING  
EPIREZ EPOXY GROUT  
OR APPROVED EQUIV.

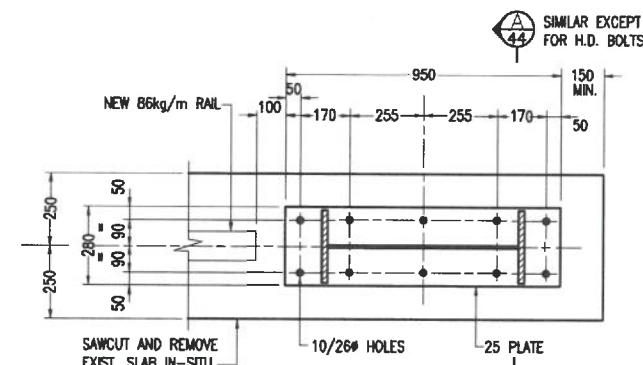
40# WASHER (LOOSE)  
x 6 PLATE

60# CORE DRILLED HOLE

300

180

RAIL END STOP DETAIL - 4 REQ'D  
(GALVANIZE AFTER FABRICATION)  
SCALE 1:10



**DETAIL 1**  
SCALE 1:10

ALL UNITS H.D. GALVANISED AFTER FABRICATION

C/L RAIL

PASSING BAY DECK  
100 GAP

1240

650

125x125x12EA  
Y12-400 WELD TO ANGLE

F102 FABRIC

150

20 PLI

2 ROWS M16 c/s HEAD SET SCREWS (GALV.) AT 300 CRS. STAGGERED

F102 FABRIC TOP & BTM.

PREScription MIX CONCRETE REFER GENERAL NOTES DRG. BP5-S-0101. (NO GPA RECORD)

350 350

TOP OF EXIST. DECK 165

80

3/Y16A

Y16E-400

TOP OF EXIST. CONC. GIRDER -150 APPROX.

25 CHAMFER

150

REMOVE EXIST. RAMP & SLAB IN-SITU

150x150x16EA

RAIL FIXING DETAILS REFER DRG. 513-0044

Y12A-200

Y12K-200

Y12 130LG. x 50 COG AT 300 CRS. WELDED TO ANGLE

2/Y12D-200 COG 350

BARS TO BE STRAIGHTENED WHEN DECK SLAB IS REPLACED

20 1

250

150

50

25 CHAMFER

50

150

75

APPROVED HARDWOOD TIMBER TO MATCH EXISTING

PACKER x 600 LG. AT 1500 CRS. (2 BOLTS AT 300 CRS. PER PACKER)

M16 THREADED BAR (STAGGERED) x 500 LONG c/w NUT & WASHER

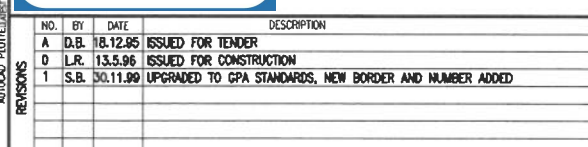
#20 HOLE. EPIROZ EPOXY GROUT

300

SECTION (E)  
SCALE 1:10

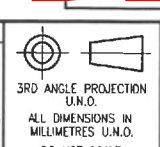
NOTES  
1. FOR GENERAL NOTES REFER DRG BPS-3 0101.  
(1) GP RECORD

**FOR DEMOLITION**

[illegible]

\* SIGNATURE ON ORIGINAL DRG.  
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|                   |           |          |
|-------------------|-----------|----------|
| SCALE AT B1: 1:1D |           |          |
| DRAWN             | D.BRADY   | 18.12.95 |
| CHKD              |           |          |
| ENGR              | A.CUMMINS | 18.12.95 |
| APPRO             |           |          |

**GLADSTONE PORT AUTHORITY**  
**BARNEY POINT COAL TERMINAL**  
**SHIPLoader UPGRADE**  
**WHARF RAIL REPLACEMENT**  
**END STOP & PASSING RAY RAMP DETAILS**

CLIENT No: 009003  
DRAWING No.  
513-0045



- Headstock support at points 1, 5, 9, 8 & 6.

\* PILES CUT 300m FROM SEABED.

Steel 10.  
pie  
WORKING COMP.  
FORCE: 300 kN

FOR GENERAL AND STEELWORK  
NOTES REFER TO SK 2

# FOR DEMOLITION

Detail D  
(SK 5)

F.B. - fly brace

MAXIMUM PLATFORM  
STATIC LOAD IS  
NOT TO EXCEED

25.0 TONNES 513-0076

R. C. Morgan RPEQ 11110



BHP Engineering  
BHP Service Companies

BHP Engineering Pty Ltd ACN 008 830 500  
152 Wharf Street Brisbane  
Queensland 4000 Australia  
Telephone 61 7 834 7777 Facsimile 61 7 832 304

DRAWN  
DRN. CHI  
ENGINEER

ENG. CH  
SUBMITTE  
FOR APP

**BHP Eng.**  
**APPROVA**

WHARF BYPASS PLATFORM  
Layout of platform

BHPE DRG. No.  
Q39-53-S001

1

1999

CAD FILE .

SITE CHECK IS REQUIRED  
TO CONFIRM THAT  $\leq M20$   
4.6 GRADE ARE PROVIDED  
IF NO ADEQUATE BOLTS  
E PROVIDED INSTALLATION  
OF NEW BOLTS IS REQ'D

## REVISION

АРЕЧК.

**BHPE**  
**ROY**

COPYRIGHT  
resolving

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**SCALE**

EDIT DATE

A3

Q39-53-S001

1

1999

## **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.

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

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

| <b>Table 1</b><br><b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>   |                        |   |   |
|---|------------------------|---|---|
| Column 1<br>Appellant   | Column 2<br>Respondent | Column 3<br>Co-respondent<br>(if any)                 | Column 4<br>Co-respondent<br>by election (if<br>any)  |
| 1 The applicant<br>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice   | The responsible entity | If an affected entity starts the appeal—the applicant | 1 A concurrence agency for the development application<br>2 If a chosen assessment manager is the respondent—the prescribed assessment manager<br>3 A private certifier for the development application<br>4 Any eligible advice agency for the change application<br>5 Any eligible submitter for the change application |
| <b>3. Extension applications</b><br>For an extension application other than an extension application called in by the Minister or made to the chief executive under section 87A, an appeal may be made against—<br>(a) the assessment manager’s decision on the extension application; or<br>(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<br>Appellant   | Column 2<br>Respondent | Column 3<br>Co-respondent<br>(if any)                   | Column 4<br>Co-respondent<br>by election (if<br>any)                               |
|---|------------------------|---|--|
| 1 The applicant<br>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.

| <b>Table 1</b><br><b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>   |   |                                       |  |
|---|---|---------------------------------------|--|
| Column 1<br>Appellant   | Column 2<br>Respondent  | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any) |
| The person given the infrastructure charges notice  | The local government that gave the infrastructure charges notice  | —                                     | —  |
| <b>5. Conversion applications</b><br>An appeal may be made against—<br>(a) the refusal of a conversion application; or<br>(b) a deemed refusal of a conversion application. |   |                                       |  |
| Column 1<br>Appellant   | Column 2<br>Respondent  | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any) |
| The applicant   | The local government to which the conversion application was made | —                                     | —  |
| <b>6. Enforcement notices</b><br>An appeal may be made against the decision to give an enforcement notice.  |   |                                       |  |

| <b>Table 1</b><br><b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>  |   |                                       |   |
|--|---|---------------------------------------|---|
| Column 1<br>Appellant  | Column 2<br>Respondent                                | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>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 |
| <b>7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i></b><br>An appeal may be made against the decision to give an enforcement notice. |   |                                       |   |
| Column 1<br>Appellant  | Column 2<br>Respondent                                | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any)  |
| The person given the enforcement notice  | The local government that gave the enforcement notice | —                                     | —   |

| <b>Table 2</b><br><b>Appeals to the P&amp;E Court only</b>   |
|--|
| <b>1. Appeals from tribunal</b><br>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—<br>(a) an error or mistake in law on the part of the tribunal; or<br>(b) jurisdictional error. |



| <b>Table 2</b><br><b>Appeals to the P&amp;E Court only</b>   |   |   |  |
|--|---|---|--|
| Column 1<br>Appellant  | Column 2<br>Respondent  | Column 3<br>Co-respondent<br>(if any)   | Column 4<br>Co-respondent<br>by election (if<br>any) |
| A party to the proceedings for the decision  | The other party to the proceedings for the decision   | —   | —  |
| <b>2. Eligible submitter appeals</b><br>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—<br>(a) any part of the development application or change application that required impact assessment; or<br>(b) a variation request. |   |   |  |
| Column 1<br>Appellant  | Column 2<br>Respondent  | Column 3<br>Co-respondent<br>(if any)   | Column 4<br>Co-respondent<br>by election (if<br>any) |
| 1 For a development application—an eligible submitter for the development application<br>2 For a change application—an eligible submitter for the change application   | 1 For a development application—the assessment manager<br>2 For a change application—the responsible entity | 1 The applicant<br>2 If the appeal is about a concurrence agency's referral response—the concurrence agency | Another eligible submitter for the application       |

**Table 2**  
**Appeals to the P&E Court only**

**3. Eligible submitter and eligible advice agency appeals**

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

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

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

**4. Compensation claims**

An appeal may be made against—

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

| <b>Table 2</b><br><b>Appeals to the P&amp;E Court only</b>   |   |                                       |  |
|--|---|---------------------------------------|--|
| Column 1<br>Appellant  | Column 2<br>Respondent                                    | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any) |
| A person dissatisfied<br>with the decision   | The local<br>government to<br>which the claim was<br>made | —                                     | —  |
| <b>5. Registered premises</b><br>An appeal may be made against a decision of the Minister under chapter 7, part 4. |   |                                       |  |

**Table 2**  
**Appeals to the P&E Court only**

| Column 1<br>Appellant  | Column 2<br>Respondent | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>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> <p>3 If the decision is to amend the registration of premises to include additional land in the affected area for the premises—an owner or occupier of premises within the additional land who is dissatisfied with the decision</p> | The Minister           | —                                     | If an owner or occupier starts the appeal—the owner of the registered premises |

| <b>Table 2</b><br><b>Appeals to the P&amp;E Court only</b>  |                        |                                       |  |
|---|------------------------|---------------------------------------|--|
| <b>6. Local laws</b><br>An appeal may be made against a decision of a local government, or conditions applied, under a local law about—<br>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or<br>(b) the erection of a building or other structure. |                        |                                       |  |
| Column 1<br>Appellant   | Column 2<br>Respondent | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any) |
| A person who—<br>(a) applied for the decision; and<br>(b) is dissatisfied with the decision or conditions.  | The local government   | —                                     | —  |

| <b>Table 3</b><br><b>Appeals to a tribunal only</b>  |
|--|
| <b>1. Building advisory agency appeals</b><br>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. |

**Table 3**  
**Appeals to a tribunal only**

| Column 1<br>Appellant   | Column 2<br>Respondent           | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>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> |
| <p><b>2. Inspection of building work</b></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<br>Appellant   | Column 2<br>Respondent           | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any)   |
| The applicant for the development approval  | The person who made the decision | —                                     | —  |
| <p><b>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></b></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> |                                  |                                       |  |

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

| <b>Table 3</b><br><b>Appeals to a tribunal only</b>                                    |  |                                       |  |
|--|--|---------------------------------------|--|
| Column 1<br>Appellant  | Column 2<br>Respondent                         | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent<br>by election (if<br>any) |
| A person who was<br>entitled to receive an<br>information notice<br>about the decision | The entity that failed<br>to make the decision | —                                     | —  |