

1 April 2026

Gladstone Ports Corporation Limited  
Attention: Amanda Laner  
PO Box 259  
GLADSTONE QLD 4680

Dear Amanda,

## DECISION NOTICE – CHANGE APPLICATION (CHANGE OTHER) – DA2023/01/03

(GIVEN UNDER SECTION 83 PLANNING ACT 2016)

### 1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **28 January 2026**.

<b>Application Number:</b>	DA2023/01/03
<b>Applicant Name:</b>	Gladstone Ports Corporation Limited
<b>Applicant Contact Details:</b>	c/- Amanda Laner PO Box 259 GLADSTONE QLD 4680  Email: <a href="mailto:GPCLApprovals@gpcl.com.au">GPCLApprovals@gpcl.com.au</a>
<b>Original Approval</b>	Development Permit for – <ul style="list-style-type: none"> <li>Material Change of Use (Stage 1) for bulk storage infrastructure and activities and loading and unloading infrastructure and activities and</li> <li>Temporary Use for Mobile unloading facility (Stage 1A(i)) and</li> <li>ERA 50(1)(a) &amp; ERA 50(2)</li> </ul>
<b>Proposed Development:</b>	Change application - 'Change Other' to DA2023/01/02 to <ul style="list-style-type: none"> <li>Reduce development footprint,</li> <li>Remove Bulk Storage Infrastructure and Activities and</li> <li>Formalise the current Stage 1A(i) Temporary Unloading Facility and relinquish all other stages.</li> </ul>
<b>Land Use Plan:</b>	Port Industry Precinct
<b>Street Address:</b>	Cnr Wharf Drive & Newman Street, Burnett Heads

<b>Real Property Description:</b>	Lot 1 RP122698 and Lot 501 SP279707
<b>Land Owner:</b>	Gladstone Ports Corporation Limited
<b>Local Government Area</b>	Bundaberg Regional Council

## 2. Details of Proposed Development

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Request to Change the development approval to remove the Bulk Storage Infrastructure and Activities use from the approval, formalise the temporary loading facility and remove the future stages (1A, 1B, and 1C) from the approval.

Assessable development on strategic port land and port land tidal areas –

- Material Change of Use – Loading and Unloading Infrastructure and Activities and
- Material Change of Use – ERA 50(1)(a) and ERA 50(2).

## 3. Details of Decision

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This development application was originally decided on **13 February 2024**, with a subsequent Change application (minor change) approved on **8 April 2025** and Extension of Time Given on **8 April 2025**.

This development application is **approved in full with conditions**. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

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

## 4. Details of Approval

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

- (a) Material Change of Use for Loading and Unloading Infrastructure and Activities; and
- (b) Material Change of Use for Environmentally Relevant Activity (50(1)(a) and 50(2) (not devolved to a local government).

## 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:

- (a) Operational works where not compliant with the 'Accepted subject to requirements' of the Port of Bundaberg Land Use Plan 2020.

## 7. Referral Agencies for the Application

The referral agencies for this application are:

For an application involving	Name of referral agency	Address
<i>Planning Regulation 2017</i> – Schedule 10, part 5, division 4, table 2 – non-devolved environmentally relevant activity (ERA 50 (1a) and (2)).	Department of State Development, Infrastructure and Planning	Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 BUNDABERG QLD 4670 <a href="mailto:WBBSARA@dsmip.qld.gov.au">WBBSARA@dsmip.qld.gov.au</a>

## 8. Environmental Authority

Environmentally Authority No. P-EA-100388452

## 9. Approved Plans and Specifications

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

Drawing/report title	Prepared by	Date	Reference No.	Version
Stormwater Management Plan	Engineers Queensland	04/12/2025	BP4336SWMP01	A
Site Plan	Engineers Queensland	10/11/2025	BP4336D01	A
Cross Sections	Engineers Queensland	10/11/2025	BP4336D02	A
Left Edge of Seal Long Section	Engineers Queensland	10/11/2025	BP4336D03	A
Slab Details	Engineers Queensland	10/11/2025	BP4336D04	A
General Notes	Engineers Queensland	10/11/2025	BP4336D05	A
Retention Basin Plan	Engineers Queensland	10/11/2025	BP4336D06	A
Retention Basin Details	Engineers Queensland	10/11/2025	BP4336D07	A
Retention Basin Course Sediment Outlet	Engineers Queensland	10/11/2025	BP4336D08	A
Retention Basin Outlet Details	Engineers Queensland	10/11/2025	BP4336D09	A
Access Setout & Subsoil Drainage Plan	Engineers Queensland	10/11/2025	BP4336D10	A
Design Vehicle Swept Paths	Engineers Queensland	10/11/2025	BP4336D12	A
Lighting Plan	Engineers Queensland	10/11/2025	BP4336D12	B
Fencing, signage & linemarking Plan	Engineers Queensland	10/11/2025	BP4336D13	A
Landscaping Plan	Engineers Queensland	10/11/2025	BP4336D14	A
Stormwater Management Plan	Engineers Queensland	10/11/2025	BP4336D15	B
Open Drain Sections	Engineers Queensland	10/11/2025	BP4336D16	A
Irrigation Plan	Engineers Queensland	10/11/2025	BP4336D17	A
Erosion & Sediment Control Plan	Engineers Queensland	10/11/2025	BP4336D17	A
Civil Services Arrangement Plan	Engineers Queensland	10/11/2025	BP4336D19	A

### Gladstone Ports Corporation Limited

T: +61 7 4976 1333 • Fax: +61 7 4972 3045 • 40 Goondoon St/PO Box 259, Gladstone QLD, 4680, AUSTRALIA • [www.gpcl.com.au](http://www.gpcl.com.au)  
 ACN 131 965 896 ABN 96 263 788 242

Drawing/report title	Prepared by	Date	Reference No.	Version
BMLF – Water Electrical Access Area	Gladstone Ports Corporation	28/01/2026	GPC250011	

## 10. Currency Period for the Approval

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

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

## 11. Rights of Appeal

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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 via email [planning@gpcl.com.au](mailto:planning@gpcl.com.au) .

Yours sincerely,



**Rob Torrasi**  
**Acting Chief Operating Officer**

Cc: SARA Wide Bay Burnett  
 Bundaberg Regional Council

- Enc. Attachment 1: Conditions of Approval
- Part 1 – Conditions imposed by the assessment manager
  - Part 2 – Conditions required by the referral agency response
- Attachment 2: Approved plans and specifications
- Attachment 3: Extract of appeal provisions
- Attachment 4: Right of Appeal Waiver
- Attachment 5: Previous Decision Notice

## Attachment 1 Conditions of Approval

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### 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.

#### GENERAL

1. Development must be carried out generally in accordance with the Approved plans, except where modified by conditions of this permit.
2. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of ~~each respective stage of the development of the use.~~
3. Where additional “approval” is required under these conditions by the Assessment Manager (GPC) for drawings or documentation the Applicant must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.

**Note: The applicant is advised that unless otherwise conditioned, 10 business days is to be allowed for to initially assess the drawings or documentation provided prior to the commencement of the works.** ~~Furthermore, the Assessment Manager will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the works.~~ Should further information be required for assessment, the Assessment Manager will require a further 5 business days to complete the information request assessment and response.

4. 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.

#### CONSTRUCTION / TRAFFIC MANAGEMENT

5. Upon completion of the works ~~for each stage, sub-stage and Temporary Development~~, the Applicant must provide the Assessment Manager with RPEQ certified “As Constructed” plans in both hard **both PDF copy (2 of)** and electronic CAD format **(including spatial reference coordinates)** which illustrate all infrastructure and services installed on, under or over Port land associated with the activity.
6. Prior to each of the **use** ~~approved Stages, sub-stages and Temporary Development~~ commencing, the Applicant must certify that the development is constructed as per design and ~~that the development has been constructed generally in accordance with the Approved plans for each stage.~~

#### PRODUCT

7. Records must be kept for each product and tonnes exported per annum and made available to the Assessment Manager upon request.

## AMENDED PLANS

8. Deleted.
9. Deleted.
10. Deleted.
11. Deleted.
12. Landscaping is to be carried out and maintained in accordance with approved **Landscaping** plans. The Applicant must maintain the property frontage in a clean and tidy manner at all times, ~~including during the operation of the temporary development.~~

## STAGING

13. Deleted.
14. Deleted.
15. Deleted.
16. Prior to the commencement ~~the use of Stage 1A(i)~~, the street address and appropriate signage is to be provided to the primary frontage of the site (Wharf Drive). ~~Signage to the Newman Street access is to be amended at Stage 1C to ensure the general public does not enter the site from Newman Street.~~
17. Deleted.
18. **Prior to commencement of the use** ~~For each stage of development~~, install and maintain security fencing along external boundaries of the premises as indicated on approved plans. Fencing must be constructed of 1.8m high transparent black PVC plastic coated chain wire mesh with black posts, unless otherwise approved by the Assessment Manager. ~~The provision of mesh cloth screening to the security fence may be provided as an alternative for the Temporary Development activity.~~

## CONSTRUCTION

19. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) is to be restricted to between 6.30am and 6:30pm Monday to Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager
20. Deleted
21. Deleted.
22. Deleted
23. Deleted.
24. At all times, no product, materials, minerals, mud, dirt or other debris is to be tracked onto port roads and / or public roads during construction and operation of ~~all stages~~ **the** development.

25. Construction fill material must be uncontaminated and reused from onsite or sourced from a licensed quarry unless otherwise approved by the Assessment Manager.
26. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the Applicant must immediately rectify to the satisfaction of the Assessment Manager.
27. Lighting must be designed to facilitate a safe and secure parking area, **and manoeuvring area and be** lit to a standard appropriate for safe night time operations.
28. Prior to ~~each stage and sub-stage~~ of the use commencing, the Applicant 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 for review.
29. **Where GPC is not the entity undertaking the work, The Applicant is required to apply for and obtain from the Assessment Manager, a Permit to Dig/Excavate must be obtained** prior to commencing works by contacting GPC's Port Infrastructure Asset Manager on (07) 4976 1333. ~~All reasonable measures must be taken to identify and protect existing services recorded or otherwise, and where necessary the Applicant must submit a plan to the Assessment Manager for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans~~ **including for any landscaping, services or infrastructure outside of the lease area.**

#### TRAFFIC

30. Deleted.
31. An Operational Traffic Management Plan (OTMP) must be provided to the Assessment Manager for approval at least 10 business days prior to the commencement of **the use** ~~each stage, sub-stage and Temporary Development~~. All activities associated with the operation must be carried out in accordance with the approved OTMP.

The Operational Traffic Management Plan is to include the following but not limited to -

- a. Type of controls that are in place to ensure truck queuing does not occur or result in blocking the ability for traffic to flow freely along Newman Street or Wharf Drive;
- b. Details of proposed traffic controls (i.e. advanced signage "road closed ahead" etc). Note: Any signage placed on publicly accessible roads must comply with the Austroad's Guide to Temporary Traffic Management (AGTTM). And where applicable, the amendments

referenced in the Queensland guide to Temporary Traffic management (QGTTM).

32. The OTMP is to be prepared by a suitably qualified Traffic Management Designer in accordance with the requirements of the AGTTM where condition ~~above~~ **31. b. applies**.
33. Any works occurring on or adjacent to publicly accessible roadways shall be undertaken in compliance with the Austroads's Guide to Temporary Traffic Management (AGTTM) and where applicable, the amendments referenced in the Queensland Guide to Temporary Traffic Management (QGTTM). These documents can be accessed via Austroads, and the Department of Transport & Main Roads ~~web site~~ **Qld <https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Queensland-Guide-to-Temporary-Traffic-Management>**

## ENVIRONMENT

### Construction Environmental Management Plan

34. Prior to the commencement of construction ~~for any stage or temporary development,~~ an a Construction Environmental Management Plan (CEMP) is to be submitted to the Assessment Manager for approval, specific to the development that ensures:
  - a. environmental risks are identified, managed and continually assessed; and
  - b. that staff are trained, aware and competency assessed of their obligations under the CEMP, including a copy of the management plan and development approval available on site at all times; and
  - c. that reviews of environmental performance are undertaken at least annually; and
  - d. any amendments to the CEMP are to be submitted to the Gladstone Ports Corporation for review and approval; and
  - e. any rehabilitation and decommissioning works occur where required.

Once approved the construction of the approved development must be carried out in accordance with this CEMP.

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

35. Deleted.
36. The CEMP must address the management of land with regard to the Environmental Management Register (EMR) as Lot 1 RP122698 is listed for Notifiable Activity 29 (petroleum product or oil storage). Removal of any fill from the lot will be required to be done so in accordance with the Environmental Protection Act 1994 (Qld).

## Operational Environmental Management Plan

37. Prior to the commencement of ~~each Stage, sub stage and temporary development~~ **the use** an Operational Environmental Management Plan (EMP) is to be submitted to the Assessment Manager for approval, specific to the operations aspect of the development that ensures:
- ~~environmental risks are identified, managed and continually assessed~~ **Identify, assess and manage actual and potential environmental risks and/or risk to human health, associated with the development including controls for dust, noise and vibration, water and waste;** and
  - 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; and
  - that reviews of environmental performance are undertaken at least annually; and
  - any amendments to the EMP are to be submitted to the Assessment Manager for review and approval; and
  - any rehabilitation and decommissioning works occur where required and
  - any relevant air quality objectives for dust or airborne contaminants are achieved.
  - Deleted;
  - Clear articulation of how cross contamination of different products will be prevented is to be included within the EMP
  - Segregation between stormwater and **water from the disturbed area (ie areas contaminated by the activity)** ~~contaminated water~~ is to be addressed and included within the OEMP
  - Water quality testing processes / procedures for and proposed re-use options of stormwater is to be included within the EMP;

Once approved by the Assessment Manager, the approved development must be carried out in accordance with this EMP.

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

## ACID SULPHATE SOILS

38. In the event acid sulphate soils are disturbed/excavated and require treatment on site, **or on any land owned by GPC**, a site specific Acid Sulphate Management plan **including treatment locality and volumes and disposal locality**, must be submitted to the Assessment Manager for approval prior to such works commencing. **Once the management plan is approved, the works must be carried out in accordance with this plan.**

## SEDIMENT CONTROL

39. A Sediment and Erosion Control Plan in accordance with the Environmental Protection Agency's (EPA – guideline – EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control and International Erosion control Association's (IECA) – Best Practice Erosion and Sediment control, and the Queensland Urban Drainage manual (QUDM) is to be prepared by a suitably qualified expert for each sub-stages of the proposed construction works to ensure landscaping and bio-retention areas are suitable protected from sediment inundation.
40. The design of the site drainage system, filling of the site, car parking and accesses must be undertaken so that flows from adjacent properties will not be impeded by the development.
41. Uncontrolled discharges of contaminated washdown water or contaminated stormwater to the adjoining premises or road network, including Wharf Drive, are not permitted **at any time**.
42. Prior to works commencing ~~for the relevant stage~~, a lawful point/s of discharge, demonstrating no actionable nuisance, must be established within Lot 276 on SP128643, for all stormwater overflow, exclusive of contaminants.
43. ~~Prior to the commencement of each Stage and Sub stage, a Stormwater Management Plan is to be submitted to the Assessment Manager for approval, specific to the development.~~

At all times, all construction and operational activities must be managed in accordance with the approved Stormwater Management Plan and any stormwater management strategies in relation to the management of groundwater with regard to per-and poly-fluoroalkyl substances (PFAS) ~~are to be included within~~ **including** the Environmental Management Plan (OEMP and CEMP).

PFAS contaminated water (surface or groundwater) is to be managed in accordance with the Environmental Protection Act 1994 (Qld), and its supporting regulations and policies, unless a separate management plan has been developed in consultation with and agreed to by the Department of Environment, Science and Innovation, and the Assessment Manager.

The Stormwater Management Plan must demonstrate that no nuisance run-off will be generated, including sediments, hydrocarbons or other contaminants.

44. Prior to disposal of groundwater (on or offsite), a copy of the sampling and analysis report for any groundwater testing must be provided to the Assessment Manager for review and approval.

## INCIDENT NOTIFICATION

45. Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:
  - a. release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land;

- b. release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
- c. any environmental complaints received by the holder of this approval; and
- d. non-compliance with conditions of this approval or any other environmental approval obtained in relation to the development.

46. Deleted.

#### GROUND WATER

47. Unless otherwise approved in writing by the Queensland Government Department of Environment **Tourism, and Science and Innovation (DETSI)**, or subsequent equivalent State agency administering the relevant legislation, any groundwater intercepted during construction activities is deemed to be a regulated waste contaminated with PFAS and must be managed and disposed of in accordance with the Environmental Protection Act 1994 (Qld) and its regulations and policies, unless the proponent has undertaken sampling and testing of the groundwater that has determined per-and poly-fluoroalkyl substances (PFAS) levels are below the regulated waste threshold in the Environmental Protection Regulation 2019 (Qld).

Any written approval received from the Department of Environment **Tourism, and Science and Innovation (DETSI)**, or subsequent equivalent State agency, must be submitted to the Assessment Manager and be approved by the Assessment Manager in writing

#### INFRASTRUCTURE

48. The applicant must notify the Assessment Manager of damage caused to any port infrastructure, port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting, roads, underground services or infrastructure as a result of the approved use or during construction. The applicant may undertake the repairs directly in consultation with the Assessment Manager or Bundaberg Regional Council where Council's infrastructure, however, depending upon the nature and location of the damage, the Assessment Manager retains the right to undertake the repairs at the expense of the Applicant.

49. Deleted.

50. ~~An appropriate fire service must be established and maintained to the satisfaction of the relevant authority.~~ **Prior to the commencement of the use an adequate firefighting service, designed and installed in accordance with the relevant Australian Standard/s is to be provided.**

***Note: Written confirmation may be required by the Queensland Fire and Rescue Service certifying that all fire-fighting infrastructure and emergency response procedures are acceptable for the development.***

51. Deleted.

## WASTE MANAGEMENT

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

## CONTAMINATION

54. Deleted.

## TEMPORARY DEVELOPMENT (Mobile unloading facility)

55. Deleted
56. Deleted.

## NEW CONDITIONS

57. **Prior to the commencement of the use, design and install all external lighting in accordance with AS4282-2019 – Control of the obtrusive effects of outdoor lighting so as not to cause nuisance to residents, the airport, navigational aids or obstruct or distract pedestrian or vehicular traffic.**
58. **The approved use, including any temporary laydown areas and vehicle parking, is to be contained within the development footprint at all times unless otherwise approved in writing by the Assessment Manager.**
59. **In the event the use is required to be carried out, outside the development footprint area, the Applicant or their contractor must obtain a Consent to Enter from GPC’s Property Team prior to the use commencing via contacting (07) 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au)**
60. **Prior to commencement of the use, the Applicant must provide a sealed pavement for the access / egress driveway to Wharf Drive.**
61. **Environmental incident notification shall be included in any Management Plans for the works on Port land.**

## ADVICE NOTES – WHEN RELEVANT

1. **The subject site is listed on the Environmental Management Register (EMR) and as such, any material proposed to be removed from the site is to be undertaken in accordance with a site management plan and disposed of at an appropriately licensed waste disposal facility.**
2. **All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing and drainage works or Operational works where not compliant**

**with the ‘Accepted subject to requirements’ outcomes within the Port of Bundaberg Land Use Plan 2020**

3. Where a Permit to Dig/Excavate prior to commencing excavation or digging for the development, the Applicant or their contractor is required to apply for and obtain the permit by contacting the Port Infrastructure Asset Manager on 4976 1332 or [bartono@gpcl.com.au](mailto:bartono@gpcl.com.au).
4. Where a construction compound or laydown area is required, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from the Assessment Manager’s Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
5. **Where works are to be undertaken outside tenured areas, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from GPC’s Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.**
6. 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.
7. 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.
8. Deleted
9. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
10. 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 **DA2023/01/03**.
11. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: [pfso@gpcl.com.au](mailto:pfso@gpcl.com.au), [contracted\\_security@gpcl.com.au](mailto:contracted_security@gpcl.com.au) and [gpcsupervisor@diamondprotection.com](mailto:gpcsupervisor@diamondprotection.com).

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

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

SARA reference: 2602-50520 SRA  
Council reference: DA2023/01/03

11 March 2026

Chief Executive Officer  
Port of Gladstone Ports Corporation Limited  
planning@gpcl.com.au

Attention: Trudi Smith

Dear Ms Smith

## SARA Referral Agency Response—Corner of Wharf Drive and Newman Street, Burnett Heads

(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 11 February 2026.

### Response

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Outcome:	Referral Agency Response - No Requirements  Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of Response:	11 March 2026
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development Details

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Description:	Change 'Other' Application to a Development Permit for Material Change of Use for Bulk Storage Infrastructure and Activities, Loading and Unloading Infrastructure and Activities, Temporary Use for Mobile Unloading Facility (Stage 1A(i)) and Environmentally Relevant Activity (ERA 50(1)(a) & 50(2)).
SARA Role:	Referral Agency
SARA Trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (10.5.4.2.1) of the Planning Regulation 2017 – Environmentally Relevant Activities (not devolved to a local government)

SARA Reference: 2602-50520 SRA  
Assessment Manager: Port of Gladstone Ports Corporation Limited  
Street Address: Corner of Wharf Drive and Newman Street, Burnett Heads  
Real Property Description: Part of Lot 1 on RP122698 and Part of Lot 501 on SP279707  
Applicant Name: Gladstone Ports Corporation Limited  
Applicant Contact Details: PO Box 259  
GLADSTONE QLD 4680  
GPCLApprovals@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

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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 (Chapter 1, Part 7, Section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Cavannah Deller, A/ Principal Planning Officer, on (07) 3244 9343 or via email [WBBSARA@dssip.qld.gov.au](mailto:WBBSARA@dssip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning Services

cc Gladstone Ports Corporation Limited, [GPCLApprovals@gpcl.com.au](mailto:GPCLApprovals@gpcl.com.au)  
enc Attachment 1 – Advice to the Applicant  
Attachment 2 – Reasons for Referral Agency Response  
Attachment 3 – Representations about a Referral Agency Response Provisions

## Attachment 1—Advice to the Applicant

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<b>General Advice</b>	
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 3.5. If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for Referral Agency Response

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

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

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.5:
  - State code 22: Environmentally relevant activities (State code 22).
- The development complies with the assessment benchmarks of State code 22 of SDAP in that the environmentally relevant activities (ERAs):
  - are located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
  - are designed and located to avoid impacts or, where the Matters of State Environmental Significance (MSES) cannot be reasonably avoided, impacts are reasonably minimised and mitigated
  - does not result in a significant residual impact on MSES.

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

- the change application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- SDAP, version 3.5, as published by SARA
- Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- Section 58 of the *Human Rights Act 2019*

## **Attachment 3— Representations about a Referral Agency Response Provisions**

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# 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

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### 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.

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<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**

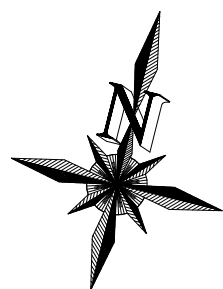
30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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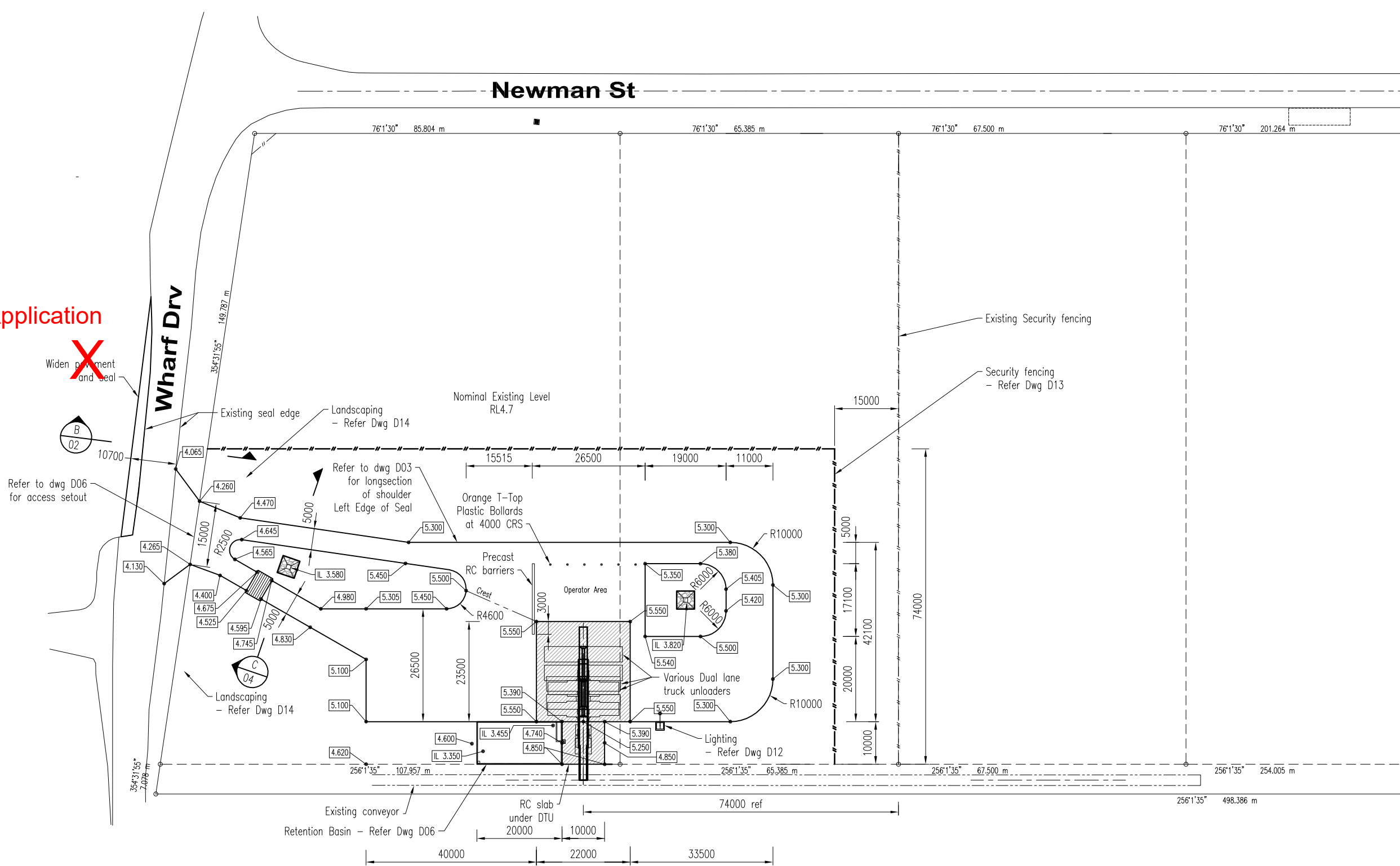
<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

## Attachment 2 Approved Plans and Specifications

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Not Part of Application



**GPC Gladstone Ports Corporation**

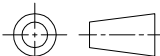
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Name: Trudi Smith  
Date: 8:13 am, 02/04/2026

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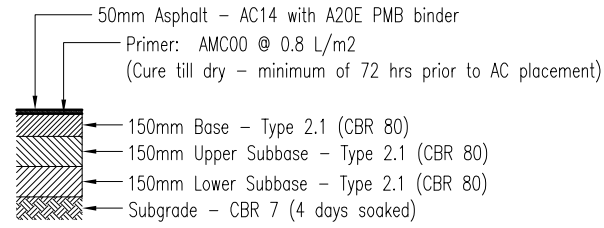
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Client		<b>Loftus</b>	
Drawn	S Weinholtz	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:1000		
Checked	SAS		
Approved	S Strachan <small>RFQ 2968</small>	Drawing Name	Site Plan
		Drawing Number	<b>BP4336D01</b>
		Revision	<b>A</b>

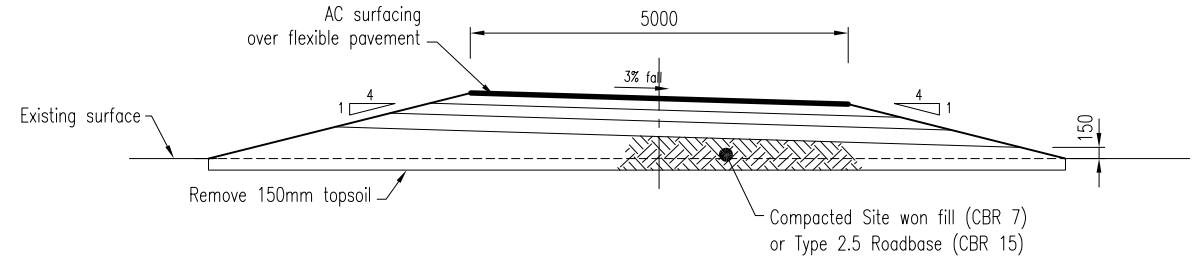
Rev.	Date	Revision Description	Init.
A	-	Issued For Approval	-

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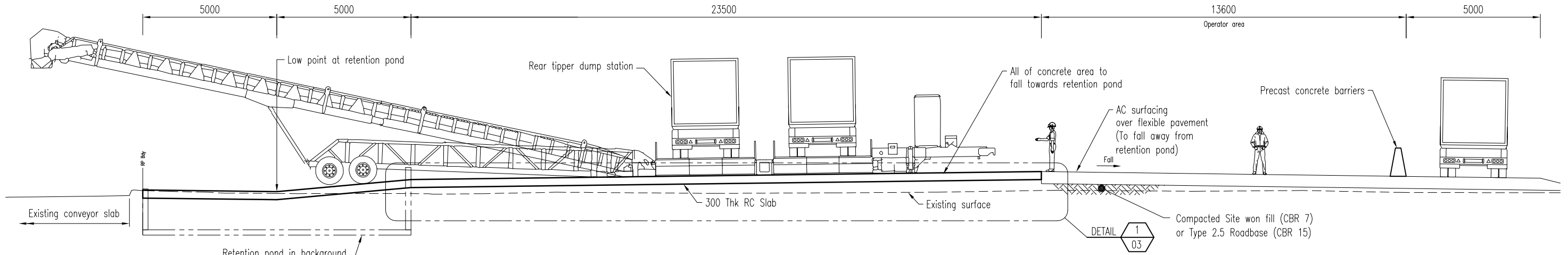
**Pavement Design**

NTS



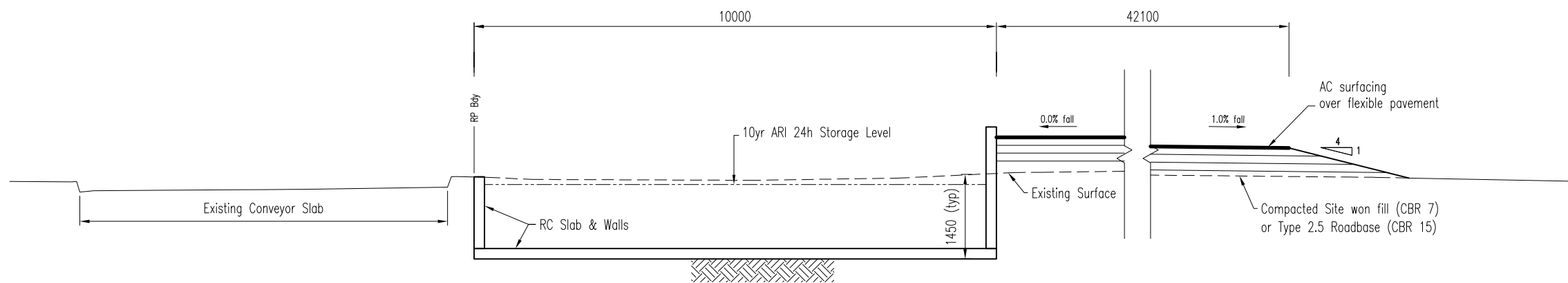
**Typical Section**

Scale 1:100



**Typical Unloading Station Section**

Scale 1:150



**Typical Retention Pond Section**

Scale 1:100



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Client

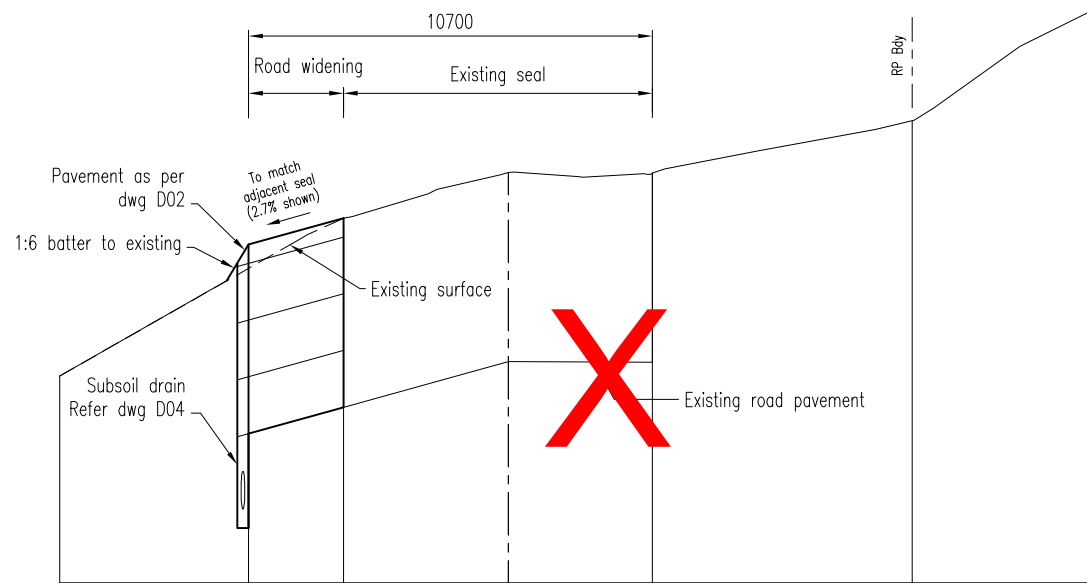
Drawn	S Weinholtz
Date	10/11/25
Scale	1:100
Checked	SAS
Approved	S Strachan RFRQ 2968

**Loftus**

Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

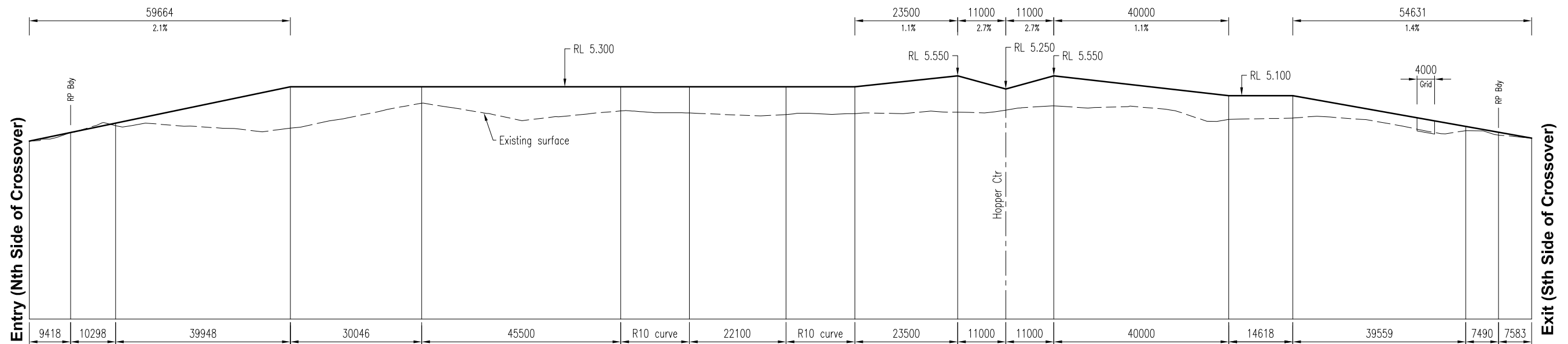
Drawing Name	Cross Sections	Drawing Number	<b>BP4336D02</b>	Revision	A
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Not Part of Application

**Wharf Road Typical Cross Section**  
 Scale 1:20(H) / 1:20(V)



**Pavement Left Shoulder Long Section**  
 Scale 1:1000(H) / 1:100(V)

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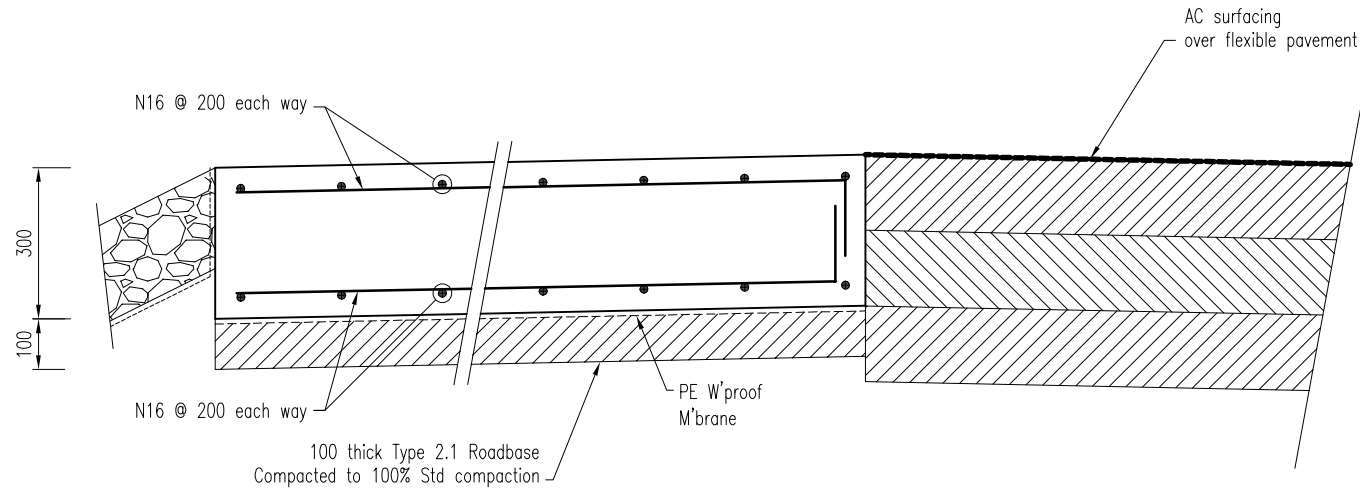


All dimensions in millimetres U.N.O.

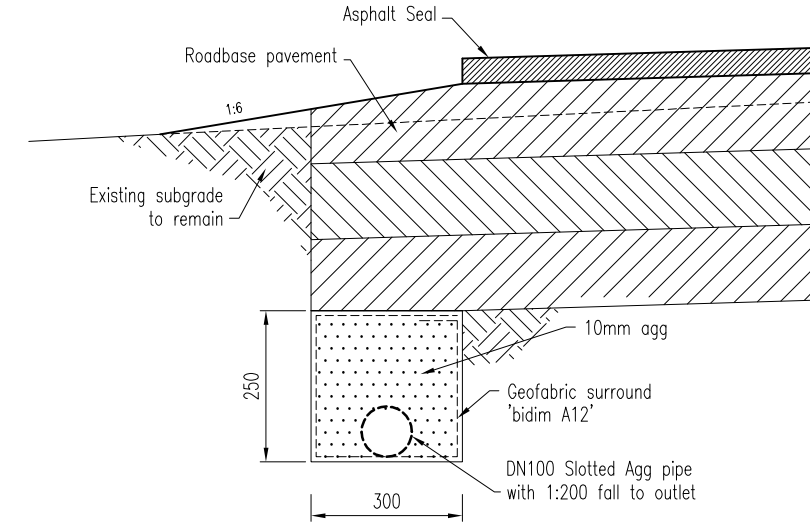
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		Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation		
Drawn	S Weinholt	Drawing Name		Revision
Date	10/11/25	Left Edge of Seal Long Section		A
Scale	1:100(V)/1000(H)	Drawing Number		
Checked	SAS	<b>BP4336D03</b>		
Approved	S Strachan RFQ 2968			

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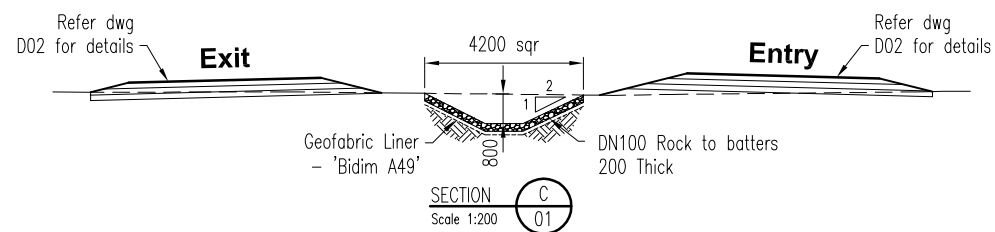


**Detail 1**  
Scale 1:15

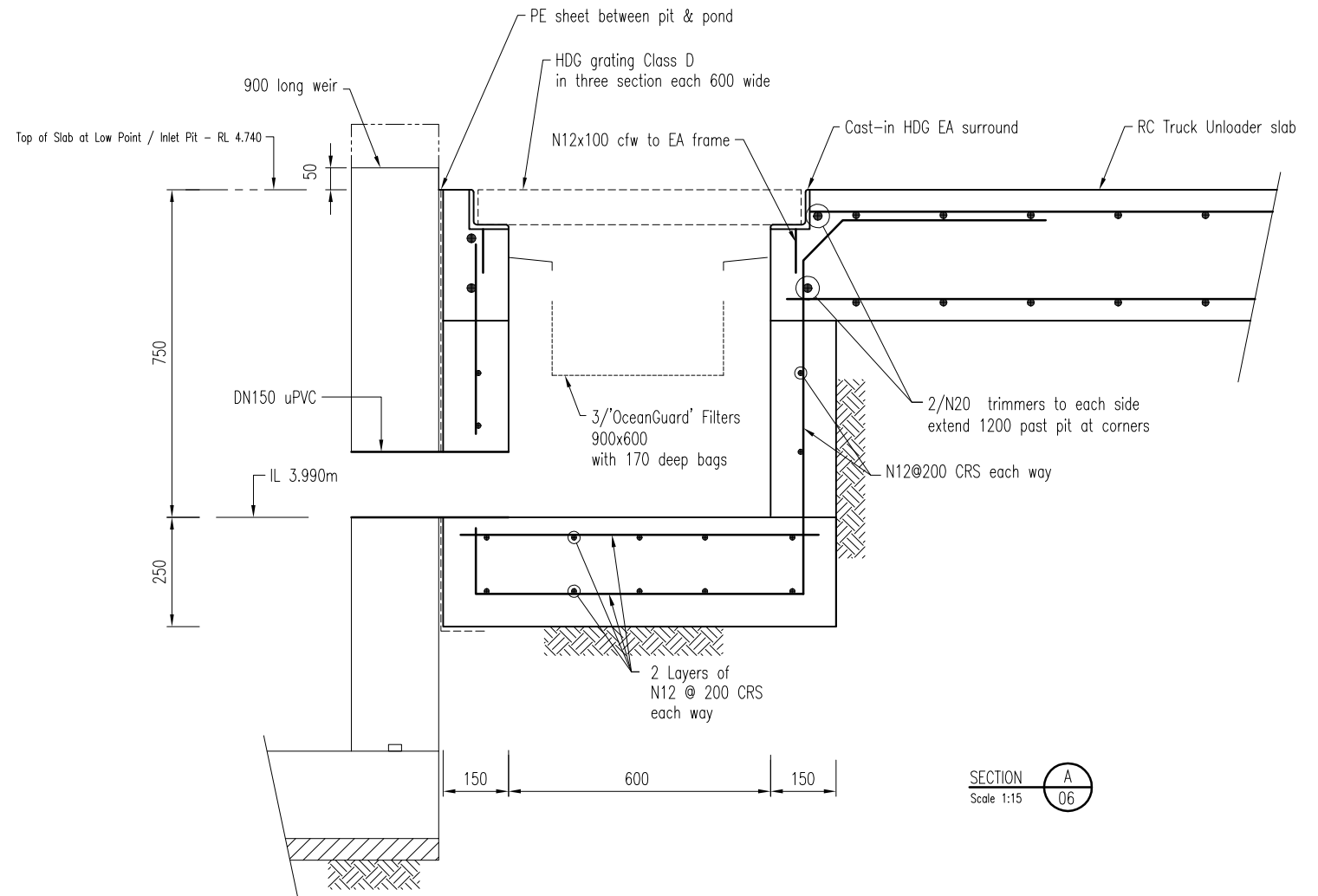


**Subsoil Drain Detail**

**SECTION D**  
Scale 1:15



**SECTION C**  
Scale 1:200



**SECTION A**  
Scale 1:15

**GPC Gladstone Ports Corporation**

**APPROVED**

Name: Trudi Smith  
Date: 8:14 am, 02/04/2026

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**Loftus**

Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name

Slab Details

Drawing Number

**BP4336D04**

Revision

**A**

Rev.	Date	Revision Description	Init.
A	-	Issued For Approval	-

**GENERAL**

1. These notes are to be read in conjunction with the accompanying relevant drawings.
2. All workmanship and materials shall be in accordance with the requirements of the SAA Codes and the by-laws and ordinances of the relevant building authorities. All codes shall be current editions.
3. Dimensions shall not be obtained by scaling from the drawings.
4. Setting out dimensions and levels shown on the drawings shall be verified by the contractor on site prior to commencement of any work.
5. All work shall be adequately supported and braced during erection, for traffic, wind and any other relevant construction loadings.
6. Construction joints where not shown on drawings, shall be to the approval of the engineer.
7. No holes or chases other than those on the drawings shall be made in any structural member, without prior approval of the engineer.
8. Termite treatment is not addressed in these drawings/specifications.

**LOADINGS**

1. Foundations designed for bearing capacity of 200 kPa.
2. Heavy Duty Pavement designed for loaded Articulated trucks (6.0x10<sup>6</sup> ESA) with subgrade CBR 7%

**EARTHWORKS**

1. All unsuitable foundation material is to be removed and replaced with an approved granular backfill. Compaction to 100% standard compaction in layers not exceeding 200mm. For depths of fill greater than 800mm, compaction tests are required.

**STEEL REINFORCEMENT**

1. Reinforcement specifications
  - N – Denote D500N deformed bar to AS4671
  - SL – Denote hard drawn wire reinforcement fabric to AS4671
  - R – Structural Grade round bar (Grade 250)
2. All reinforcing shall be firmly supported on approved chairs, generally spaced at not greater than 900mm centers both ways.
3. Reinforcement is represented diagrammatically. It is not necessarily shown in true projection.
4. Minimum lap lengths for reinforcement shall be as noted on the dwgs. Where not shown, the following laps shall apply (lap lengths shall be staggered):
  - N12 – 500mm
  - N16 – 600mm
  - N20 – 800mm
  - SL Fabric – 2 cross wires + 25mm
5. All formed exposed edges shall be chamfered 20mm.

**CONCRETE**

1. All concrete work to be in accordance with AS3600
2. Concrete class to be N40/20/80
3. Cover to reinforcement to be:
  - a. Footings – 50mm all round
  - b. Slabs on ground – 50mm bottom cover  
– 40mm walls  
– 40mm top cover (exterior)
4. Provide 2/N12 x 1200mm long trimmer reinforcement diagonally across all re-entrant corners of slabs including pit corners. Trimmers not to extend through SC or DJ joints.
5. Treatment of finished concrete
  - a. Cure all slabs a minimum of 14 days.
  - b. Suspended slabs to be propped a minimum of 28 days, unless directed otherwise by the engineer.
6. The finished concrete shall be cured for a minimum of 14 days using at least one of the following methods
  - a. Ponding or continuous sprinkling with water.
  - b. The use of an absorbent cover kept constantly wet.  
(when the ambient temperature exceeds 32°C curing may only be achieved using methods a and b).
  - c. The use of an impermeable sheet membrane over a moistened surface.  
(the membrane shall be fixed and lapped so the no air circulation can occur at the concrete surface).
  - e. The use of a curing compound complying with AS3799, applied uniformly in accordance with the manufacturers recommendations, and when dry the coat should be continuous, flexible and without visible breaks or pin holes for 7 days
7. Pipes or conduits shall not be placed closer than 50mm or within the concrete cover to reinforcement without the approval of the engineer.
8. Waterproof membrane is 0.2mm polythene. Joints are to be lapped 300mm and taped.
9. Fill material and sand under slabs is to be compacted to 100% of standard Max. dry density.
10. All concrete is to be mechanically vibrated during placing.
11. Place and extra layer of slab mesh over slab piers (where required).
12. Thickening beams poured with the slab are to be tied to footings with 2/N12 x 1500 long.
13. Place 1 corner bar in each layer of trench mesh as per detail.

**PAVEMENT**

1. Subgrade shall be compacted to 100% Standard Relative Dry Density
2. Pavement material shall be Type 2.1 and Type 2.3 to QLD transport MRS 11.05 compacted to 100% Standard R.D.D. (Refer to pavement details)
3. Subgrade under hardstand and RC pavement to be proof rolled to ensure a maximum deflection of 0.9mm under a 4t dual wheel tyre load with non-conforming section of subgrade shall be rectified using suitable construction methods until compliance is achieved.
4. Each layer of hardstand pavement to be proof rolls as per subgrade requirements (See above note).
5. Finished pavement levels shall be such as to fall to the drainage outlets and generally match proposed surface levels and contours.
6. Backfill over conduits and services located beneath the pavement shall be crusher dust or roadbase material compacted to 100% of Standard compaction.
7. The gravel pavement material shall be placed in layers not exceeding 250mm and water added and thoroughly mixed until the moisture content is higher than the optimum for standard compaction.
8. Compaction requirements for pavement and other fill shall be obtained in accordance the latest revision of Australian Standard 1289 and shall be as follows:-
  - a) Trench Backfill under road (300mm below subgrade) – 95% Standard Compaction
  - b) Trench Backfill under road (Top 300mm of subgrade) – 100% Standard Compaction
  - c) Fill to within 150 mm of sub-grade level – 98% Standard Compaction
  - c) Top 150mm of Subgrade – 100% Standard Compaction
  - d) Sub-Base Pavement – 100% Standard Compaction
  - e) Base Course Pavement – 100% Standard Compaction
  - f) Allotment fill in excess of 150 mm thick – 98% Standard Compaction
9. Earthworks shall be constructed to the cross sections, alignment and levels shown on the plans.
10. The allowable tolerances on the constructed road surface shall be as follows:
  - Pavement Thickness –0.00 m +0.025m
  - Crown Levels + 0.015 m
  - Kerb Levels + 0.012 m
11. Tests of compaction shall be at 100m intervals of the following:-
  - (a) Each 500mm depth of fill
  - (b) Subgrade prior to placing of the pavement
  - (c) Each layer of pavement
12. Prior to priming the pavement shall be broomed and any foreign matter then adhering to the pavement shall be removed by other means.
13. A tack coat of AMCO0 primer shall be applied at 0.8 l/m<sup>2</sup> prior to the laying of asphalt. Prior to the placement of the asphalt, the primer shall be left until dry (72 hours minimum).
14. The pavement shall be surfaced with a 50mm compacted course of AC14 hot mixed asphalt.
15. Compaction of the asphalt surface shall be achieved using steel wheeled & pneumatic tyred rollers with final rolling being with a steel wheeled roller.
16. Compaction of the mix shall continue until the density is 97% of that achieved by the 'Marshall' test.
17. The finished surface of the asphalt surface shall exhibit a tight dense surface true to grade and profile, with smooth joints and a neat finish.
18. Finished pavement levels shall be such as to fall to the drainage outlets and generally match proposed surface levels and contours.

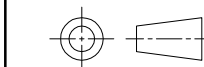
**STORMWATER QUALITY MANAGEMENT**

1. During construction of the project the following are to be observed
  - (a) All flow paths from the site are to be monitored.
  - (b) All flow paths from the site are to have silt dams of cloth fence placed as they become apparent. In particular, the main creek channel is to be protected with two fences for the construction period.
  - (c) Silt traps are to be maintained in serviceable condition for the duration of the construction and maintenance periods.
  - (e) Hydromulching will be applied to exposed earth batters and drains as soon as practicable.
  - (f) Drains shall be formed and maintained at slopes which prevent scouring.
  - (g) Construction waste is to be contained in appropriate bins.
  - (h) Construction waste is not to be allowed to blow away from the site.
  - (i) Construction materials and/or waste are not to be stored in existing or potential waterways.
2. The Contractor is responsible to ensure that the requirements of the preceding clause are met.
3. The Contractor shall repair all erosion damage which occurs to the site during the construction and maintenance periods. The Contractor shall remove all silt and other material washed from the site onto adjoining properties and roads for the duration of the construction and maintenance periods.
4. The systems are to be maintained in the future as part of the general maintenance program of the property.
  - (a) Rock walls are to be kept in good order by removal of silt build-up and replacement of rocks as required.
  - (b) Silt traps are to be maintained in working condition.
  - (c) Gross pollutants are to be removed from drains and from the grounds generally.
5. The contractor shall monitor the effectiveness of the stormwater management on an on-going basis and the structures and procedures adjusted appropriately. The effectiveness of the ongoing management system can be measured by:-
  - (a) The amount of gross contaminants and silt leaving the site.
  - (b) The amount of gross contaminants entering stormwater pipework.

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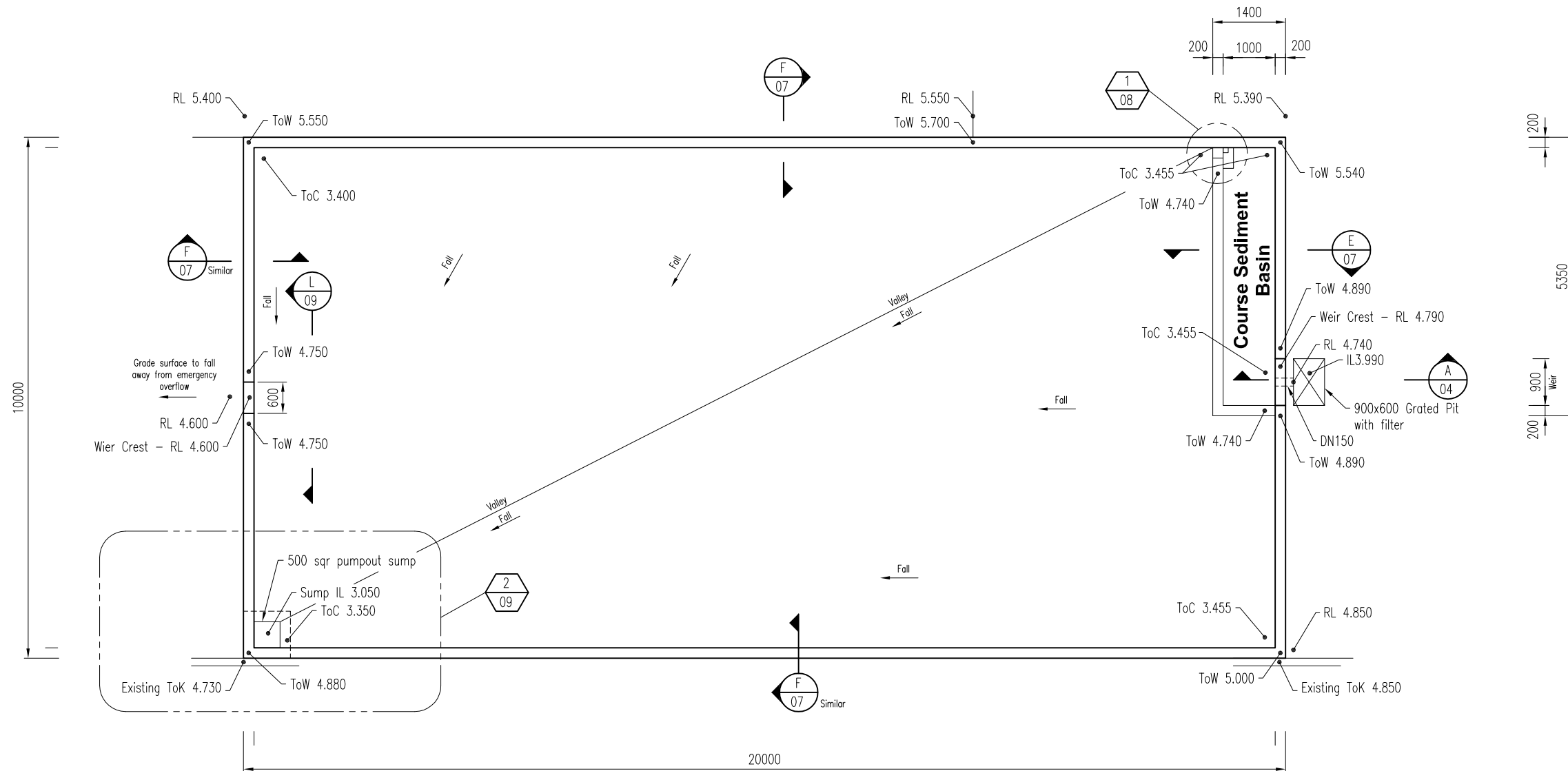


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Date	10/11/25			
Scale	1:500			
Checked	SAS	Drawing Name	Drawing Number	Revision
Approved	S Strachan <small>RFCQ 2968</small>	General Notes	<b>BP4336D05</b>	A





**Retention Basin Plan**  
Scale 1:100

**GPC Gladstone Ports Corporation**

**APPROVED**

Name: Trudi Smith  
Date: 8:14 am, 02/04/2026

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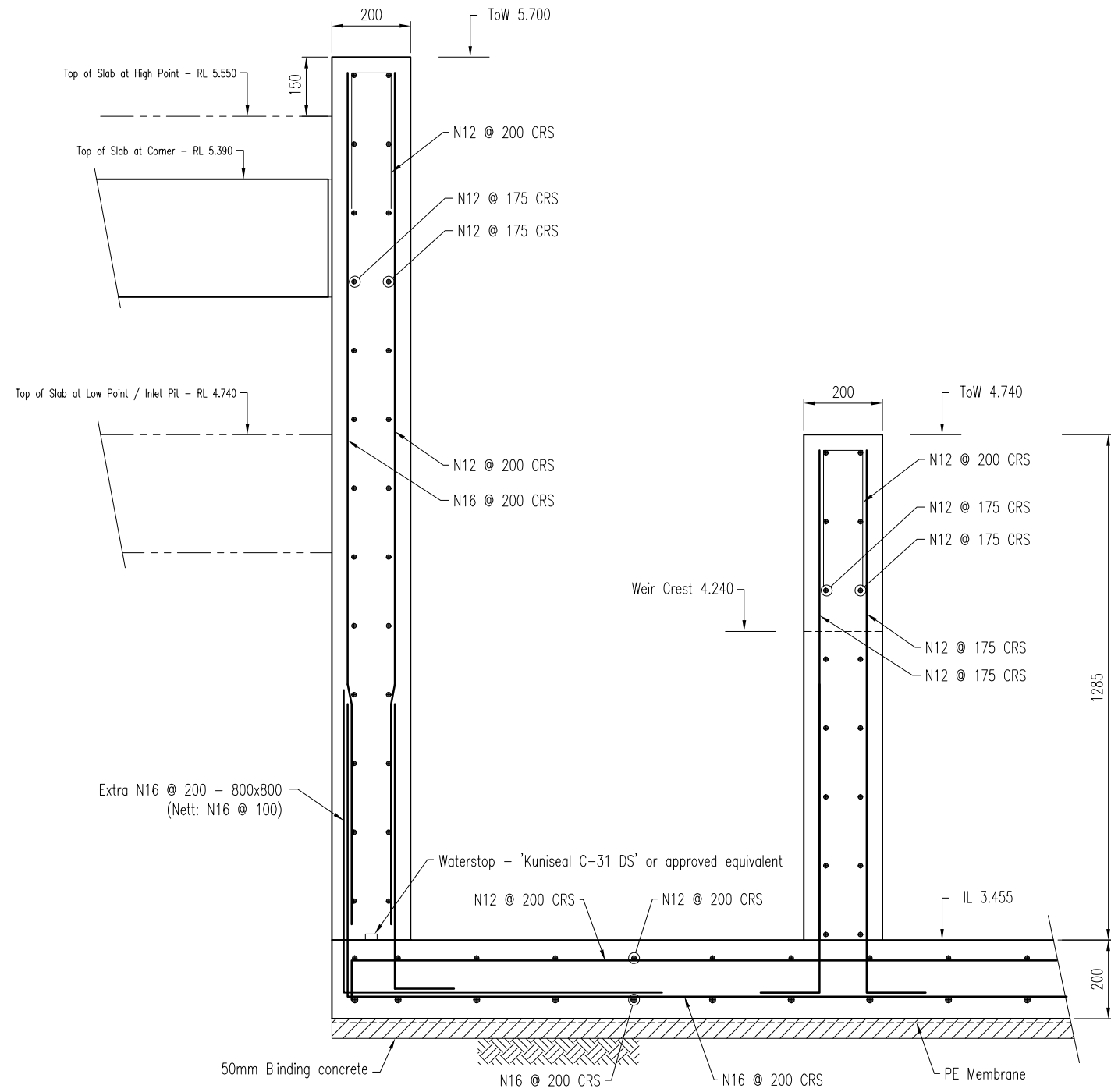


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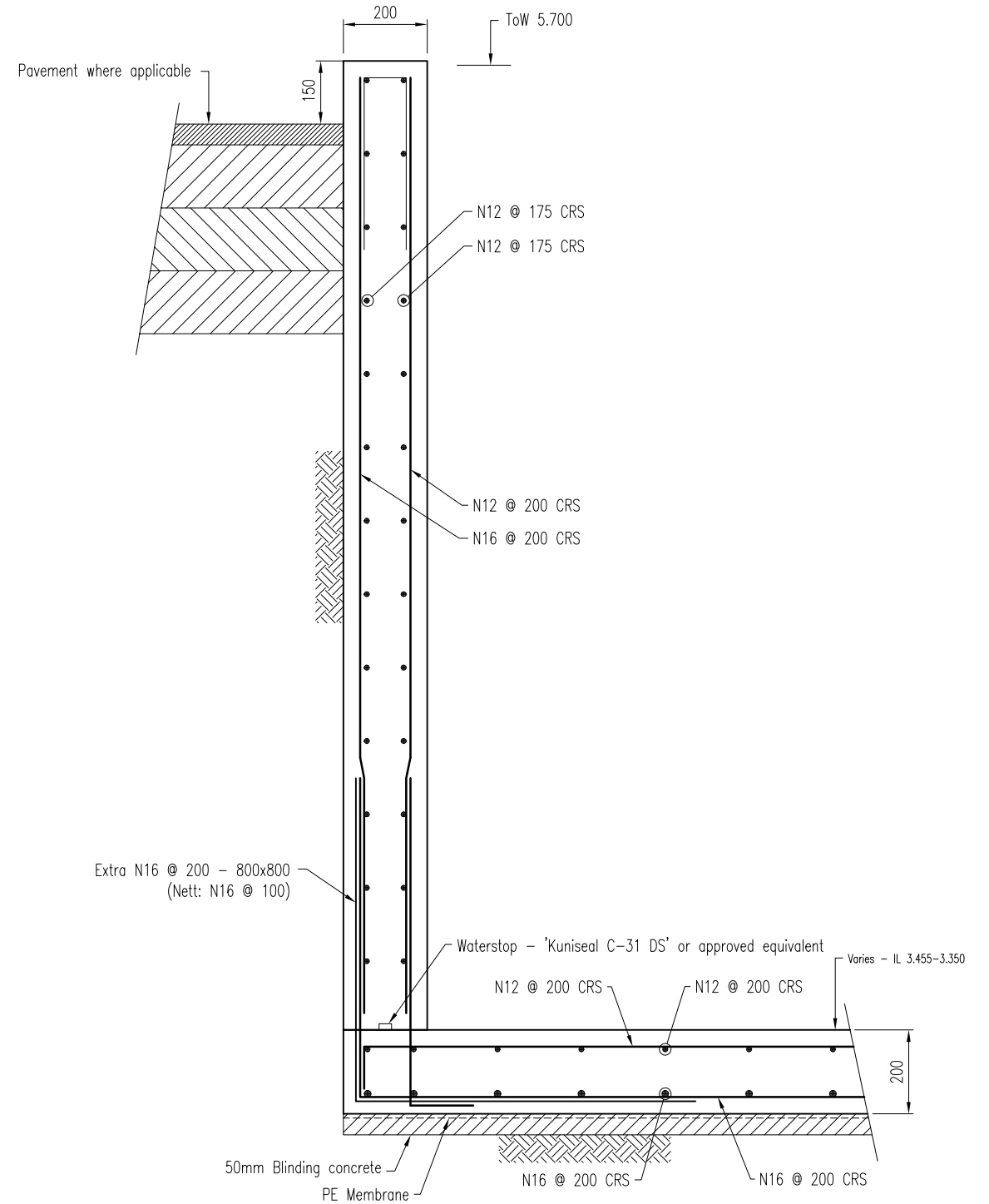
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Date	10/11/25			
Scale	1:100			
Checked	SAS			
Approved	S Strachan RFQ 2968	Drawing Name	Drawing Number	Revision
		Retention Basin Plan	<b>BP4336D06</b>	A

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SECTION E  
Scale 1:15



SECTION F  
Scale 1:15



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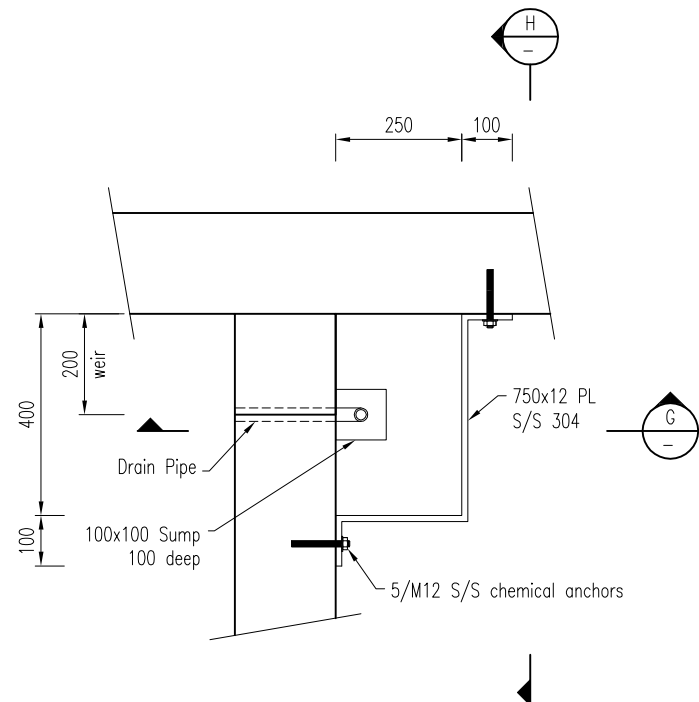
Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name  
Retention Basin Details

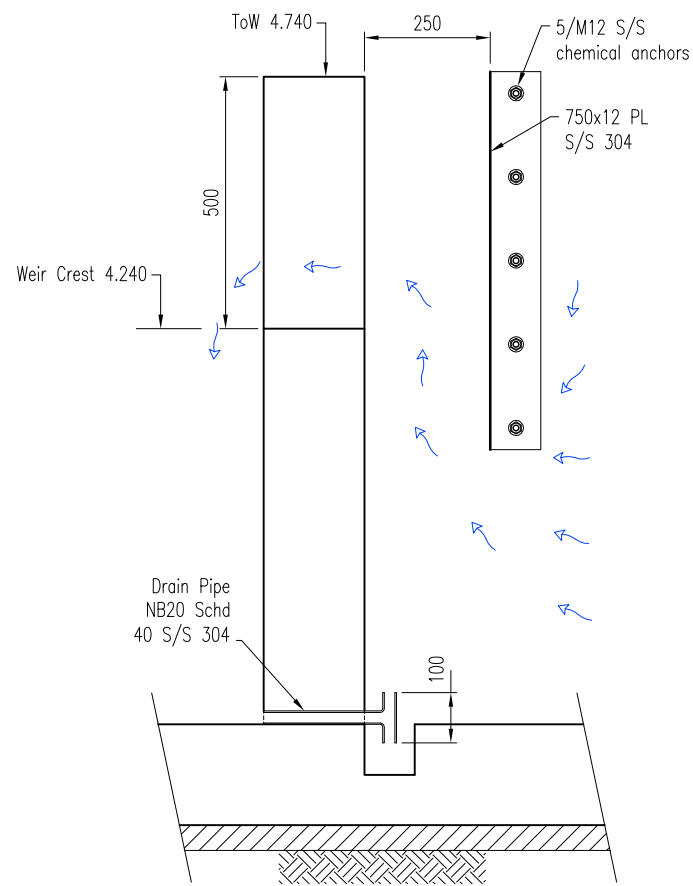
Drawing Number  
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Revision  
**A**

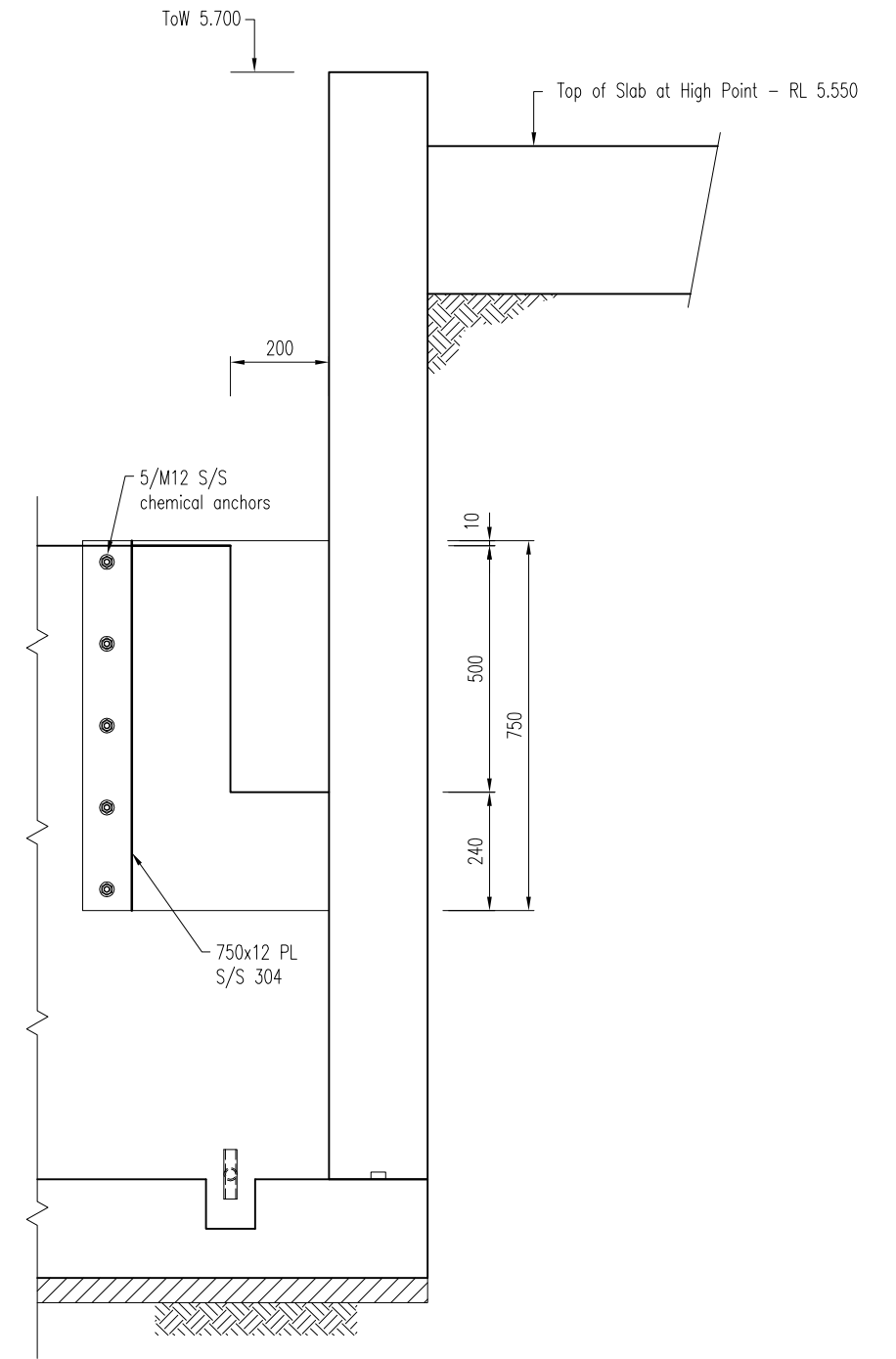
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**Detail 1**  
Scale 1:15  
06



**SECTION G**  
Scale 1:15



**SECTION H**  
Scale 1:15

**GPC Gladstone Ports Corporation**

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Date: 8:14 am, 02/04/2026

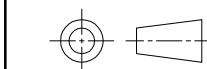
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**Loftus**

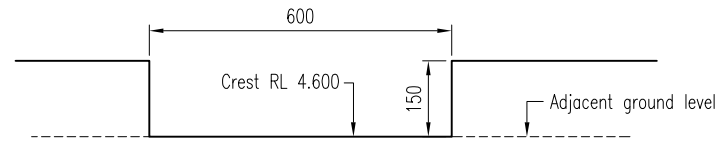
Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name  
Retention Basin Course Sediment Outlet

Drawing Number  
**BP4336D08**

Revision  
**A**

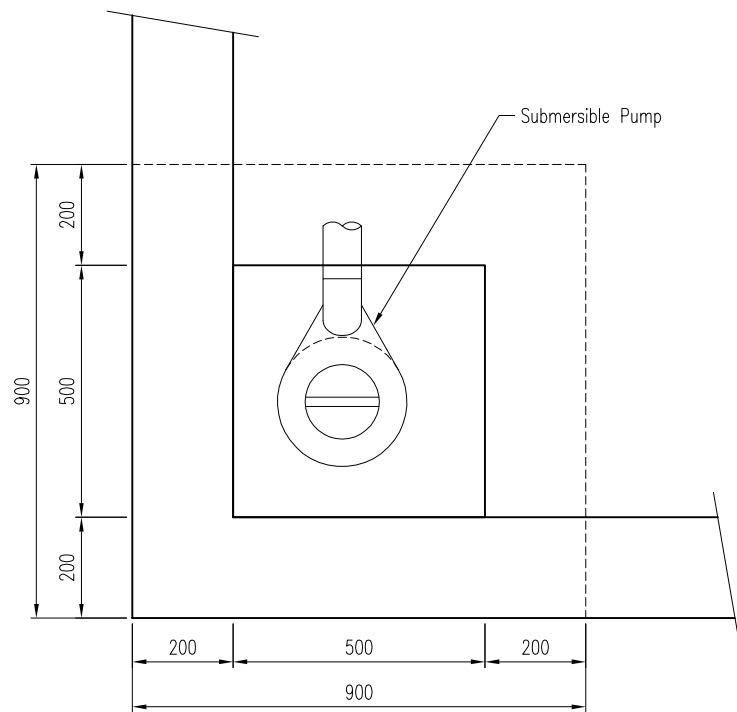
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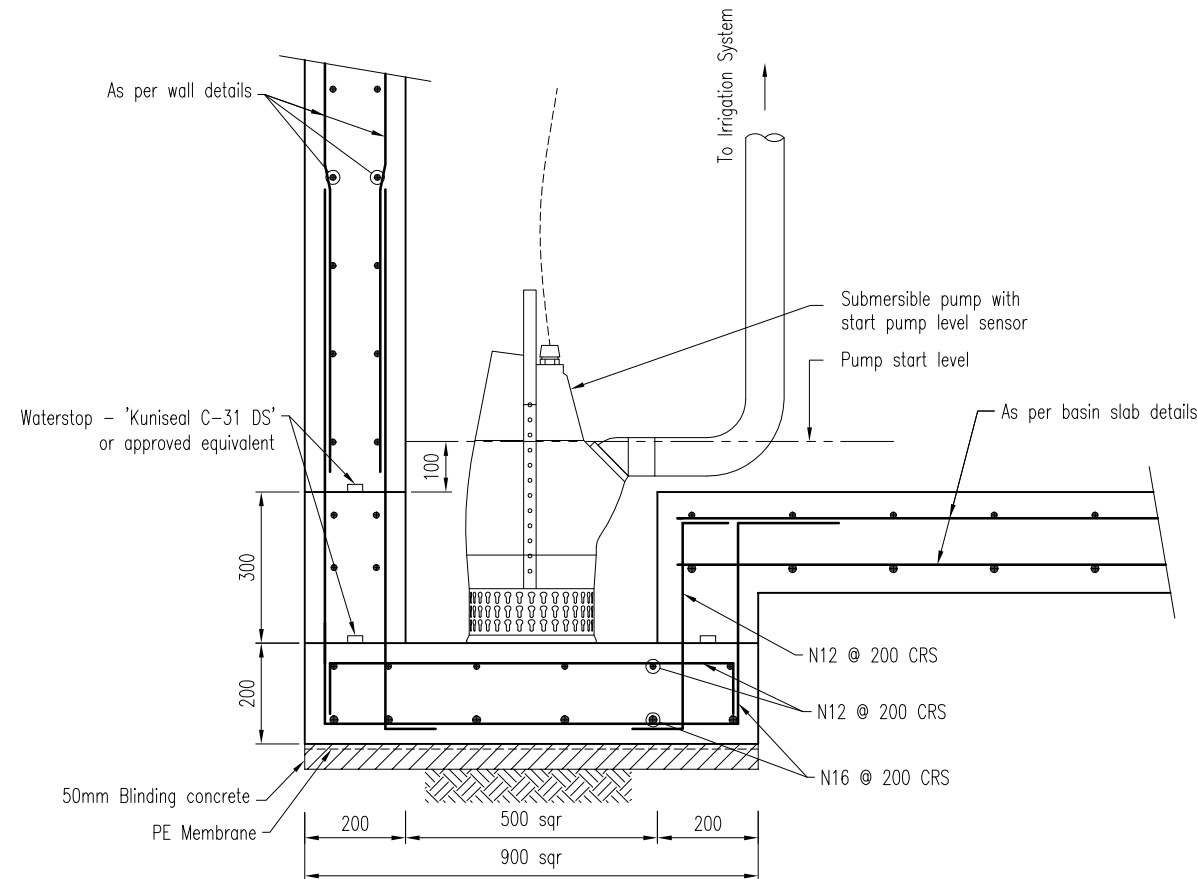
SECTION L  
Scale 1:15

Emergency Overflow Flow (L/s)

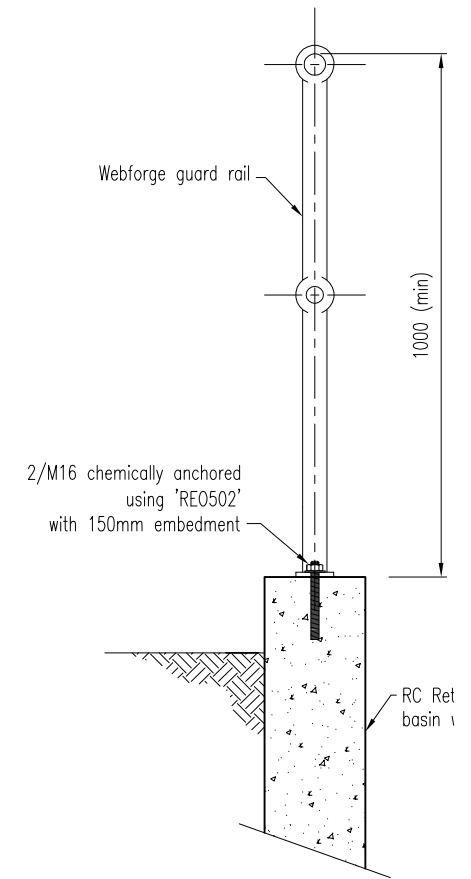
	Storm Durations (hr)							
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Q5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Q10	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.9
Q20	0.0	0.0	0.0	0.0	0.0	1.0	1.5	1.1
Q50	0.0	0.0	0.0	0.0	3.9	3.2	1.9	1.4
Q100	0.0	0.0	0.0	5.7	4.4	3.7	2.2	1.6



Detail 2  
Scale 1:15



SECTION J  
Scale 1:15



SECTION K  
Scale 1:15

**GPC Gladstone Ports Corporation**

**APPROVED**

Name: Trudi Smith  
Date: 8:15 am, 02/04/2026

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Rev.	Date	Revision Description	Init.
A	-	Issued For Approval	-



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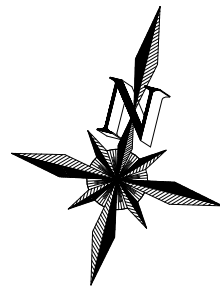
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Client

Drawn	S Weinholt
Date	10/11/25
Scale	1:15
Checked	SAS
Approved	S Strachan RFQ 2968

<b>Loftus</b>		Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
		Drawing Name	Drawing Number
Retention Basin Outlet Details		<b>BP4336D09</b>	Revision <b>A</b>

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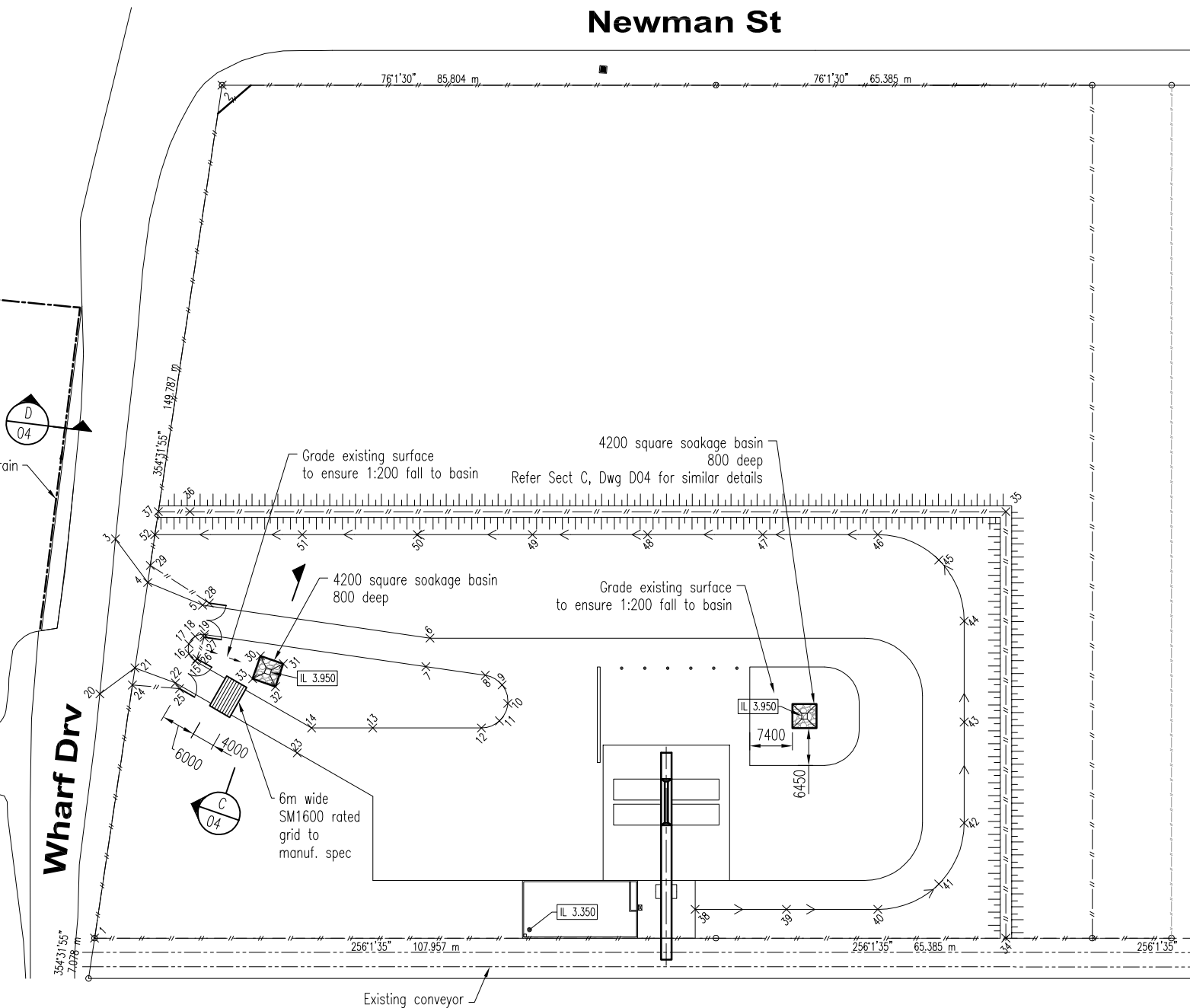
### Newman St

Not Part of Application

Daylight outlet with headwall and logflap

Subs drain

Wharf Drv

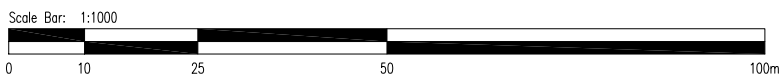


Point	Easting (m)	Northing (m)	Description
1	437604.492	7260330.651	Bdy 1
2	437590.205	7260479.755	Bdy 2
3	437591.272	7260398.809	Edge of Seal
4	437598.537	7260392.815	Edge of Seal
5	437608.726	7260391.320	Edge of Seal
6	437648.476	7260395.291	Edge of Seal
7	437648.973	7260390.315	Edge of Seal
8	437659.343	7260391.351	Edge of Seal
9	437662.583	7260390.437	Edge of Seal
10	437664.332	7260387.560	Edge of Seal
11	437663.654	7260384.263	Edge of Seal
12	437660.911	7260382.310	Edge of Seal
13	437642.585	7260377.748	Edge of Seal
14	437632.265	7260375.179	Edge of Seal
15	437609.873	7260381.561	Edge of Seal
16	437608.498	7260382.550	Edge of Seal
17	437608.069	7260384.188	Edge of Seal
18	437608.782	7260385.724	Edge of Seal
19	437610.310	7260386.453	Edge of Seal
20	437595.142	7260372.034	Edge of Seal
21	437599.968	7260377.883	Edge of Seal
22	437607.412	7260377.064	Edge of Seal
23	437630.889	7260370.370	Edge of Seal
24	437600.254	7260374.897	Fence
25	437608.365	7260376.272	Fence
26	437610.011	7260382.042	Fence
27	437610.360	7260385.956	Fence
28	437609.764	7260391.926	Fence
29	437598.251	7260395.801	Fence
30	437620.629	7260385.174	Soakage Basin
31	437624.813	7260384.801	Soakage Basin
32	437624.439	7260380.617	Soakage Basin
33	437620.256	7260380.991	Soakage Basin

Fence/Bund & Drain Setout Schedule

Point	Easting (m)	Northing (m)	Description
34	437758.144	7260368.903	Fence
35	437740.252	7260440.781	Fence
36	437602.683	7260406.533	Bund Grade Change
37	437597.346	7260405.204	Fence
38	437704.536	7260360.709	Drain - IL 4.850
39	437719.941	7260364.544	Drain - IL 4.807
40	437735.346	7260368.379	Drain - IL 4.765
41	437744.577	7260375.205	Drain - IL 4.733
42	437746.278	7260386.559	Drain - IL 4.702
43	437742.041	7260403.575	Drain - IL 4.655
44	437737.805	7260420.592	Drain - IL 4.608
45	437730.979	7260429.823	Drain - IL 4.576
46	437719.626	7260431.524	Drain - IL 4.544
47	437700.218	7260426.692	Drain - IL 4.491
48	437680.810	7260421.861	Drain - IL 4.437
49	437661.403	7260417.029	Drain - IL 4.384
50	437641.995	7260412.198	Drain - IL 4.330
51	437622.588	7260407.366	Drain - IL 4.276
52	437597.735	7260401.179	Drain - IL 4.208

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**APPROVED**  
 Name: Trudi Smith  
 Date: 8:15 am, 02/04/2026



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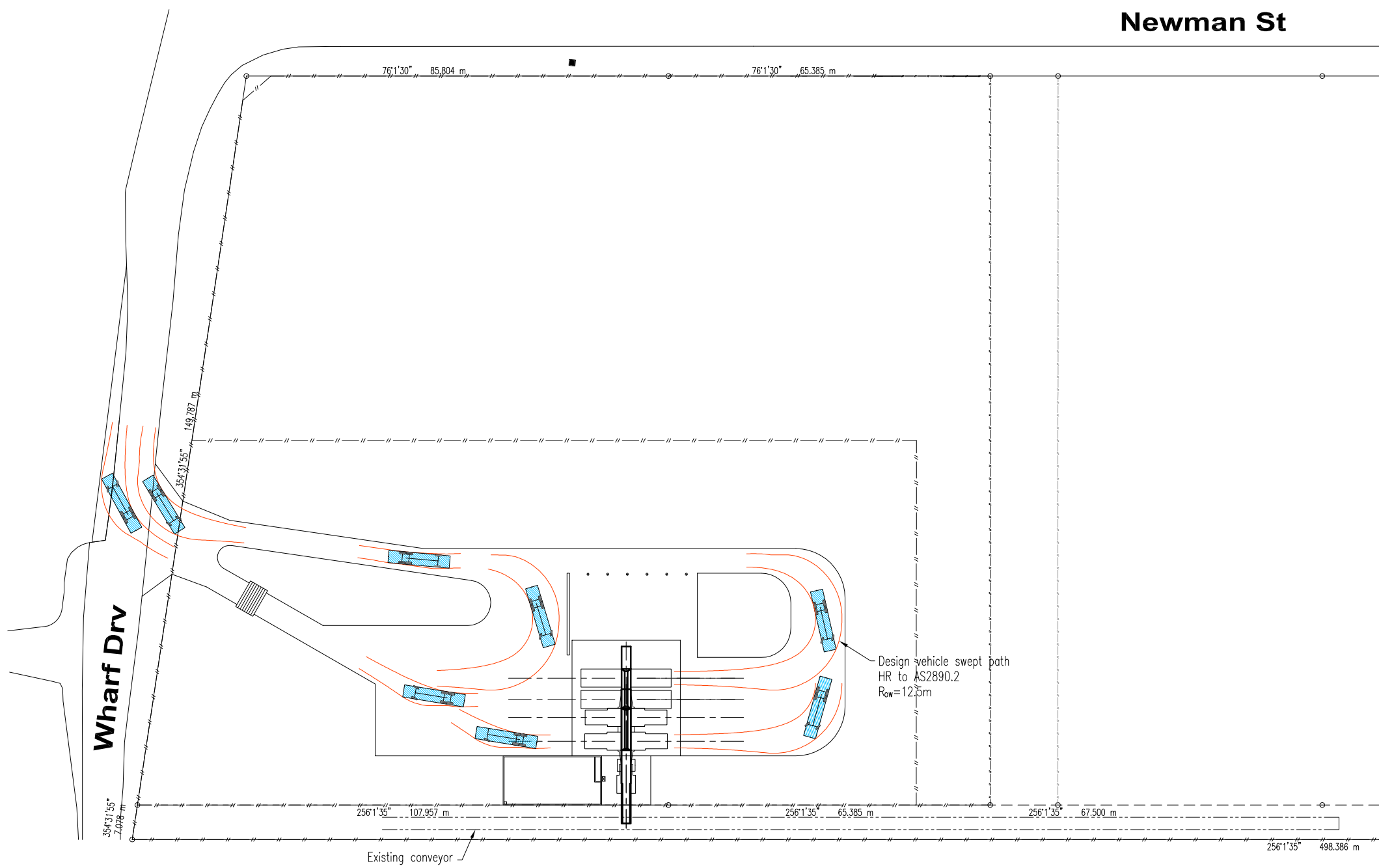
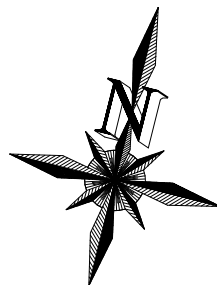
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Client	Loftus	
Drawn	S Weinholtz	
Date	10/11/25	
Scale	1:1000	
Checked	SAS	
Approved	S Strachan	

Drawing Name		Drawing Number		Revision
Access Setout & Subsoil Drainage Plan		BP4336D10		A

Rev.	Date	Revision Description	Inits.
A	-	Issued For Approval	-

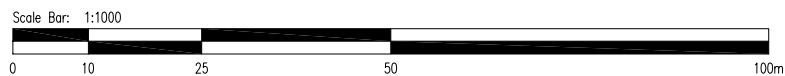
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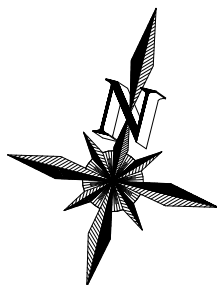
Client

Drawn	S Weinholt
Date	10/11/25
Scale	1:1000
Checked	SAS
Approved	S Strachan RFQ 2968

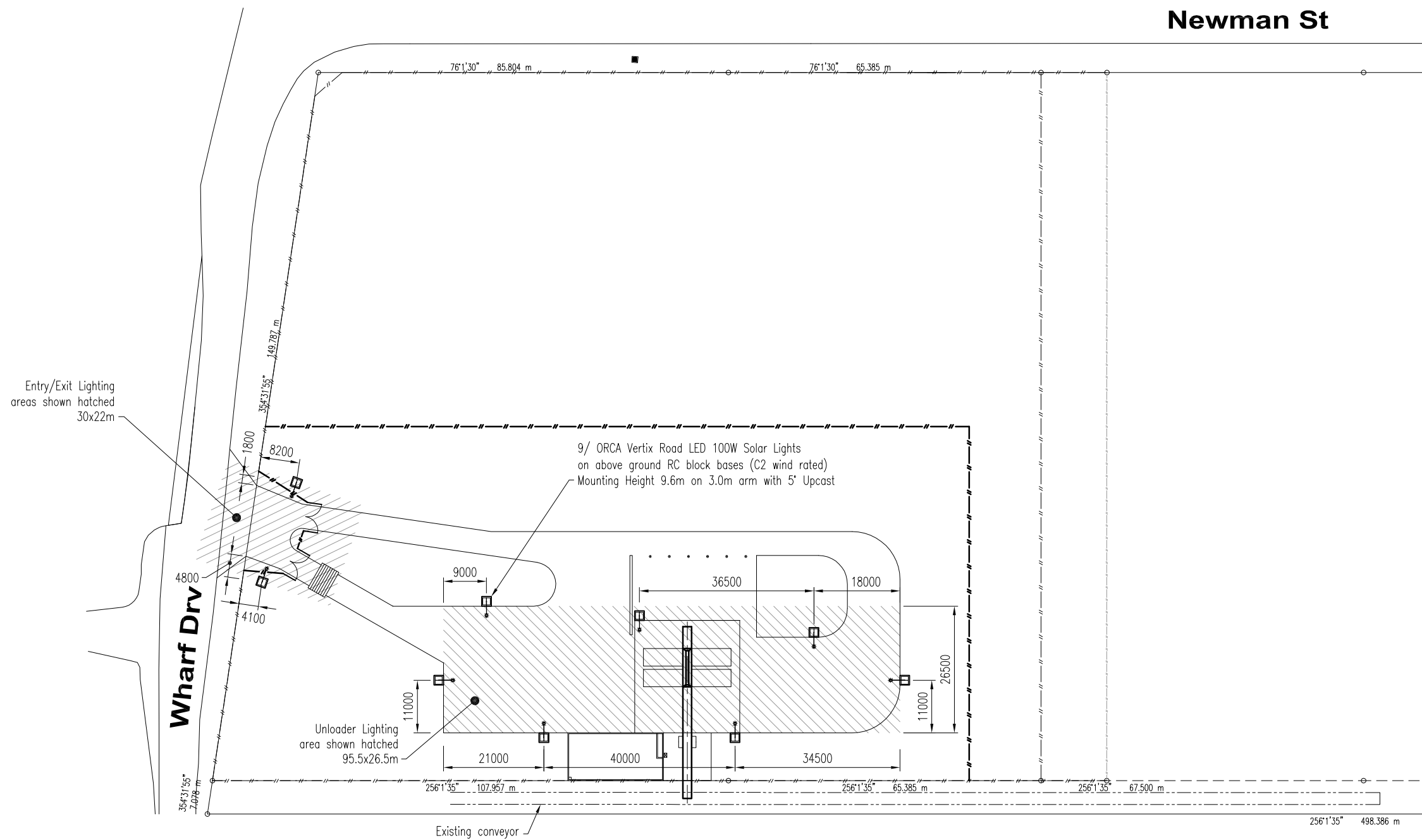
**Loftus**

Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name	Drawing Number	Revision
Design Vehicle Swept Paths	<b>BP4336D12</b>	A



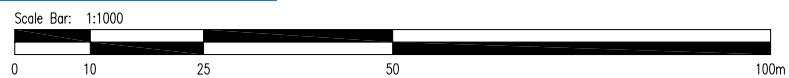
Notes:  
 1. Lighting areas to be illuminated to PC1 lighting levels as per AS1158  
 2. Target lighting parameters:  
 $E_{avg-horiz} > 14 \text{ lux}$   
 $E_{ptmin-horiz} > 3 \text{ lux}$   
 $U_{e2} = E_{max}/E_{avg} < 10$



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Name: Trudi Smith  
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Rev.	Date	Revision Description	Init.
B	18/6/25	Fence modified and exit grid added	SJW
A	-	Issued For Approval	-



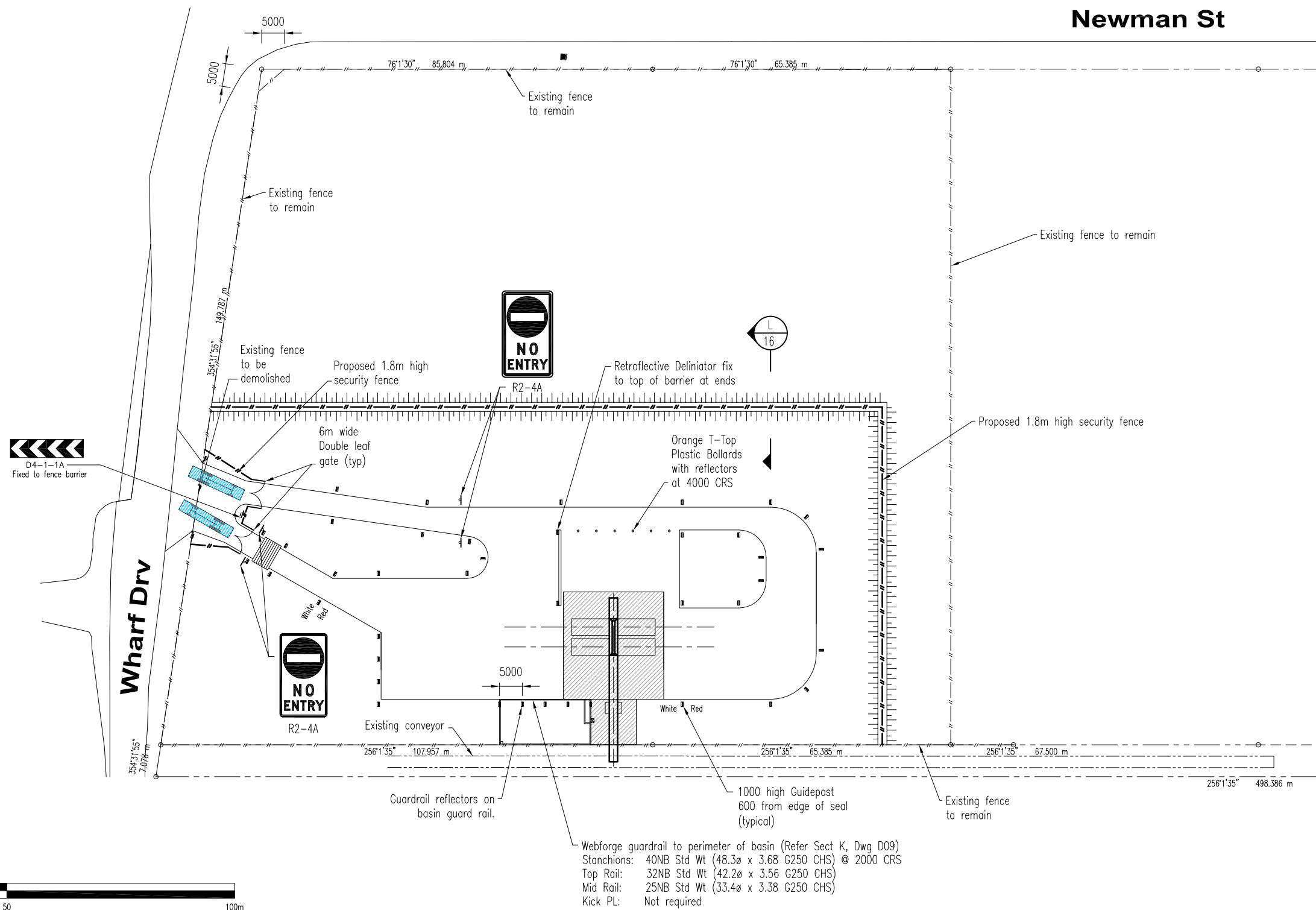
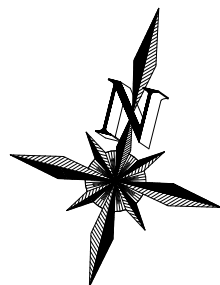
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Client		<b>Loftus</b>	
Drawn	S Weinholt	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25	Drawing Name <b>Lighting Plan</b>	
Scale	1:1000		
Checked	SAS		
Approved	S Strachan RFRQ 2968		
		Drawing Number	<b>BP4336D12</b>
		Revision	<b>B</b>

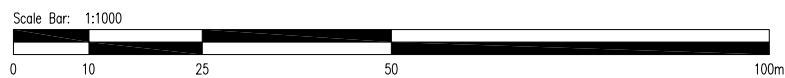
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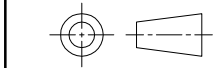


Webforge guardrail to perimeter of basin (Refer Sect K, Dwg D09)  
 Stanchions: 40NB Std Wt (48.3ø x 3.68 G250 CHS) @ 2000 CRS  
 Top Rail: 32NB Std Wt (42.2ø x 3.56 G250 CHS)  
 Mid Rail: 25NB Std Wt (33.4ø x 3.38 G250 CHS)  
 Kick PL: Not required

Refer to dwg D05 for general notes



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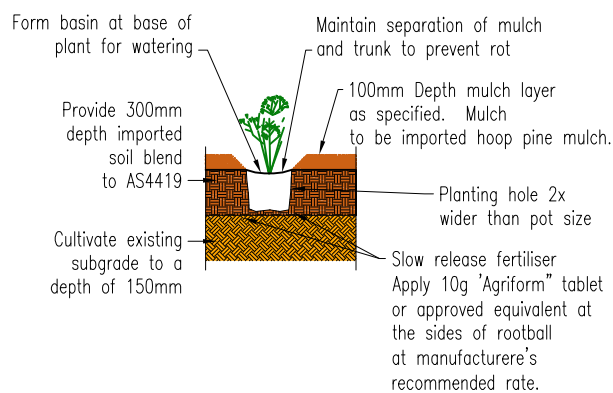
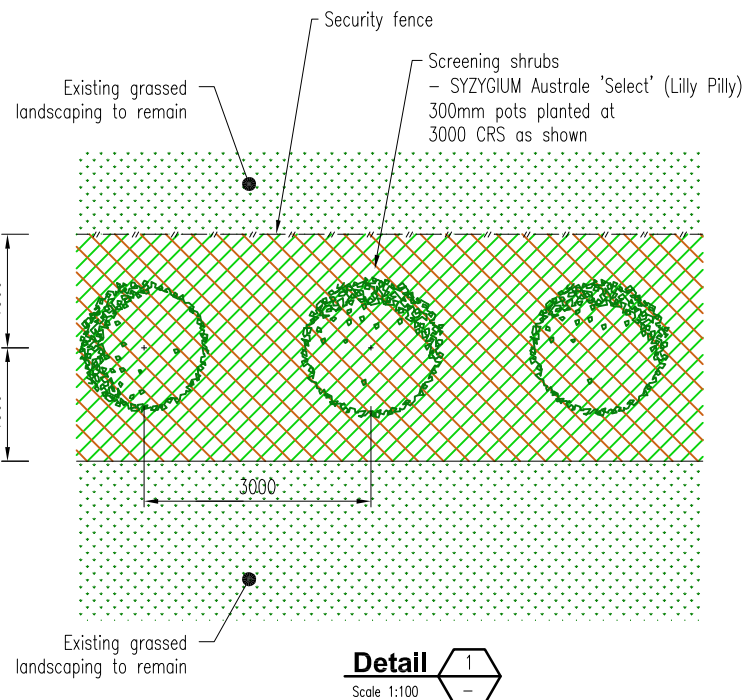
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Client		<b>Loftus</b>	
Drawn	S Weinholtz	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:1000		
Checked	SAS	Drawing Name	Drawing Number
Approved	S Strachan RFRQ 2968	Fencing, signage & linemarking Plan	<b>BP4336D13</b>
		Revision	A

Rev.	Date	Revision Description	Init.
A	-	Issued For Approval	-

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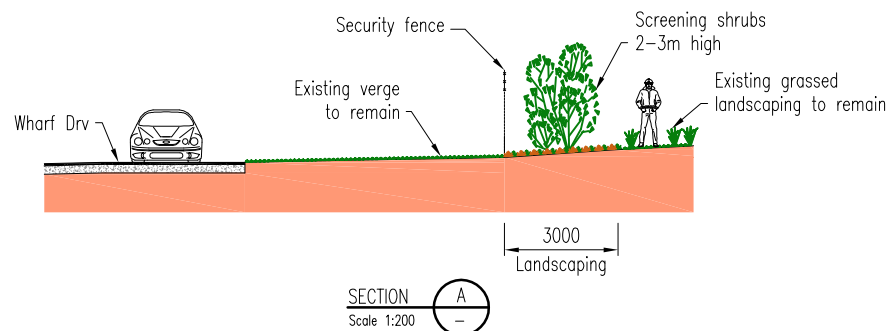
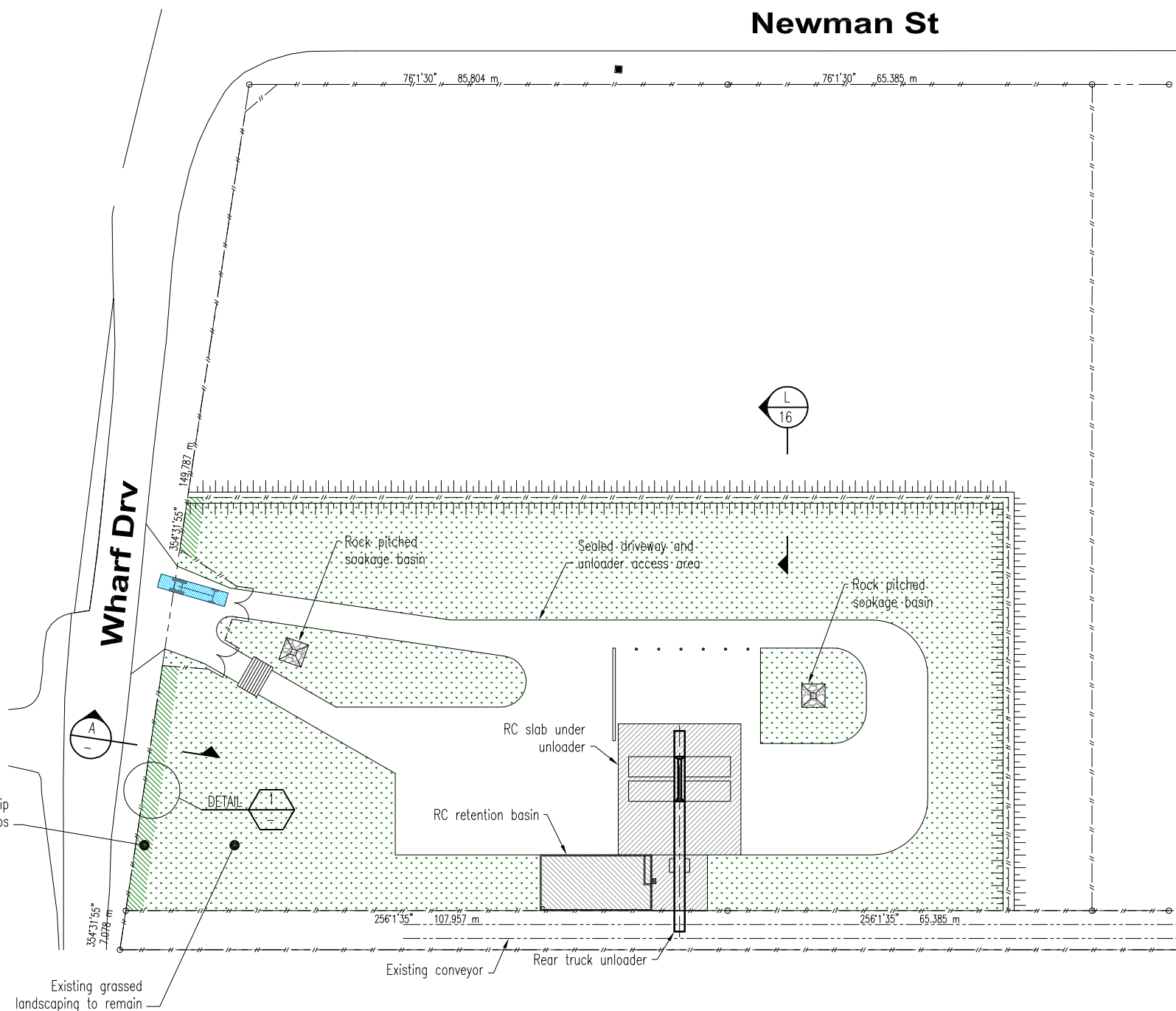


**Typical Pot Planting Detail**

Scale 1:50



3m wide landscaping strip with 2-3m high shrubs



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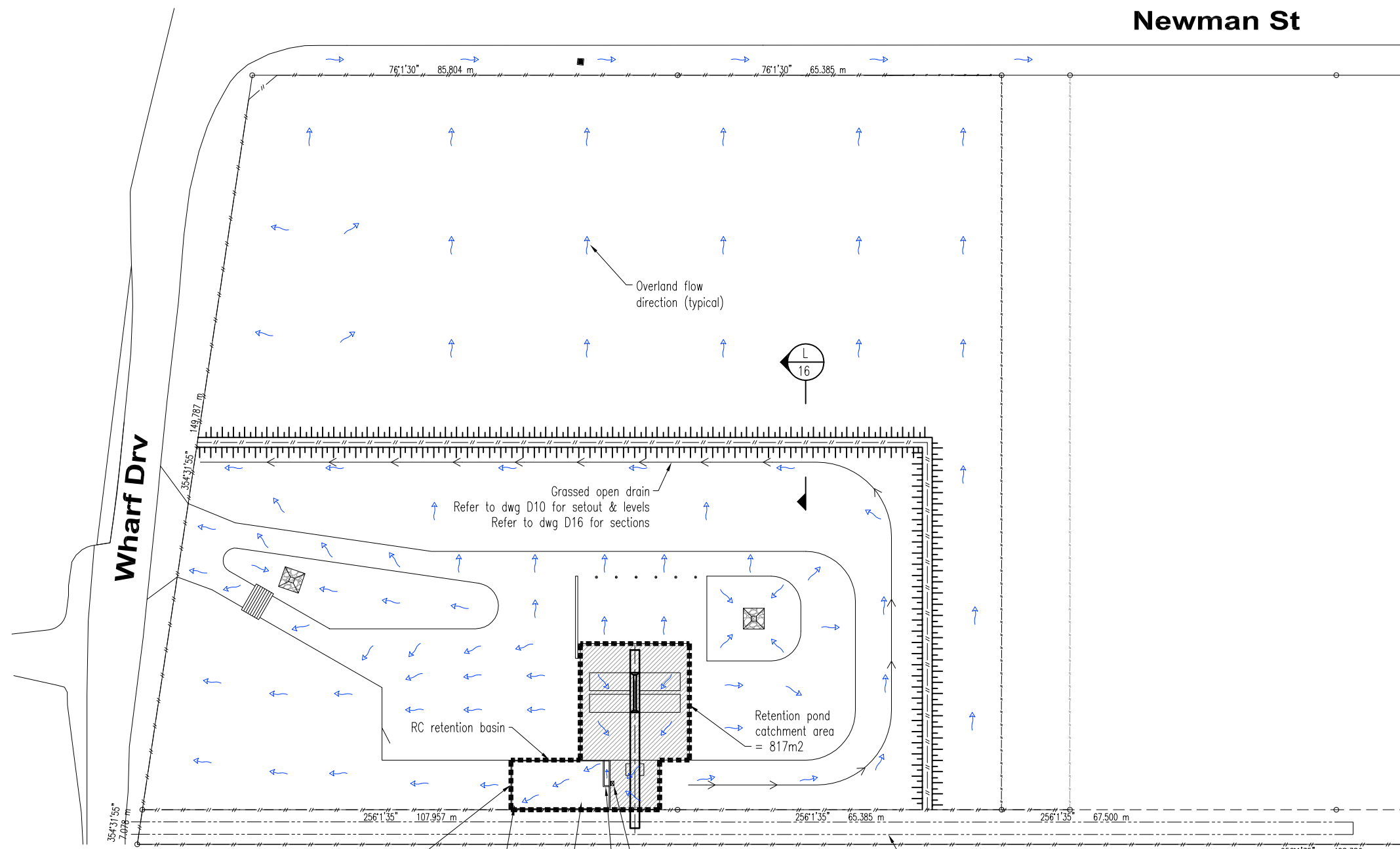
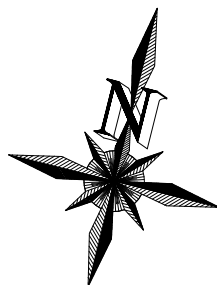
Drawn	S Weinholtz
Date	10/11/25
Scale	1:1000
Checked	SAS
Approved	S Strachan RFQ 2968

**Loftus**

Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name	Landscaping Plan	Drawing Number	<b>BP4336D14</b>	Revision	A
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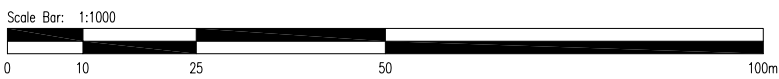
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Date: 8:16 am, 02/04/2026



Retention pond volume = 222m<sup>3</sup>  
 Storage volume required for 10% AEP 24h event  
 Rainfall of a 10%AEP 24hr event = 233mm  
 Vreqd = Area \* rainfall = 817m<sup>2</sup> \* 0.233m = 190m<sup>3</sup>  
 Thus, sufficient storage capacity is achieved.

Refer to dwg D05 for general notes

Rev.	Date	Revision Description	Init.
B	18/6/25	Fence modified and exit grid added	SJW
A	-	Issued For Approval	-



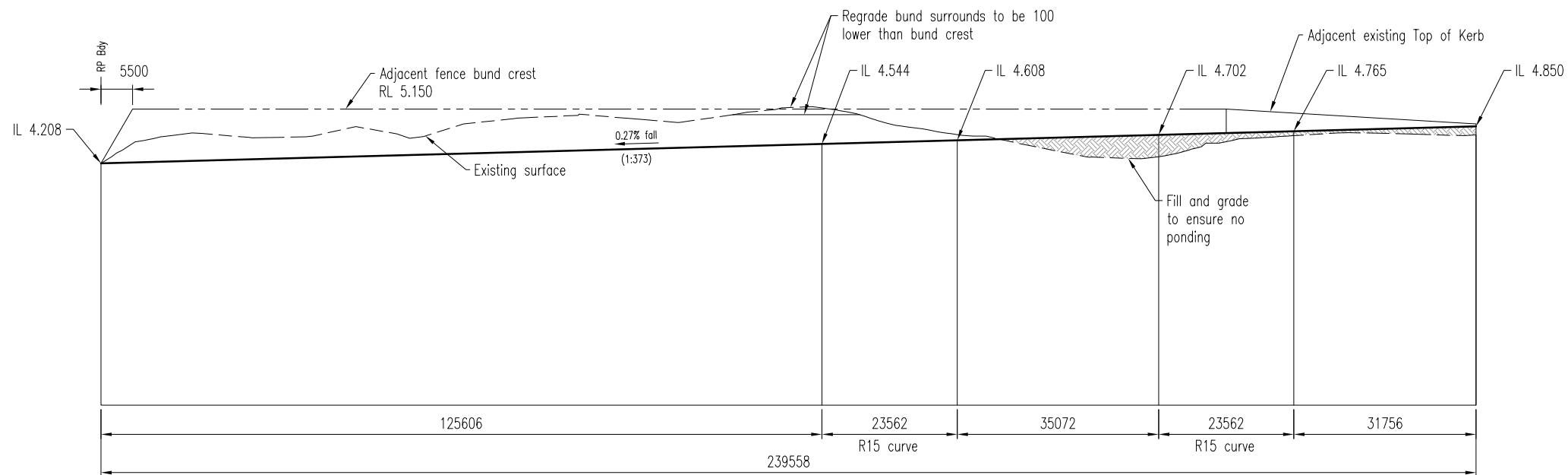
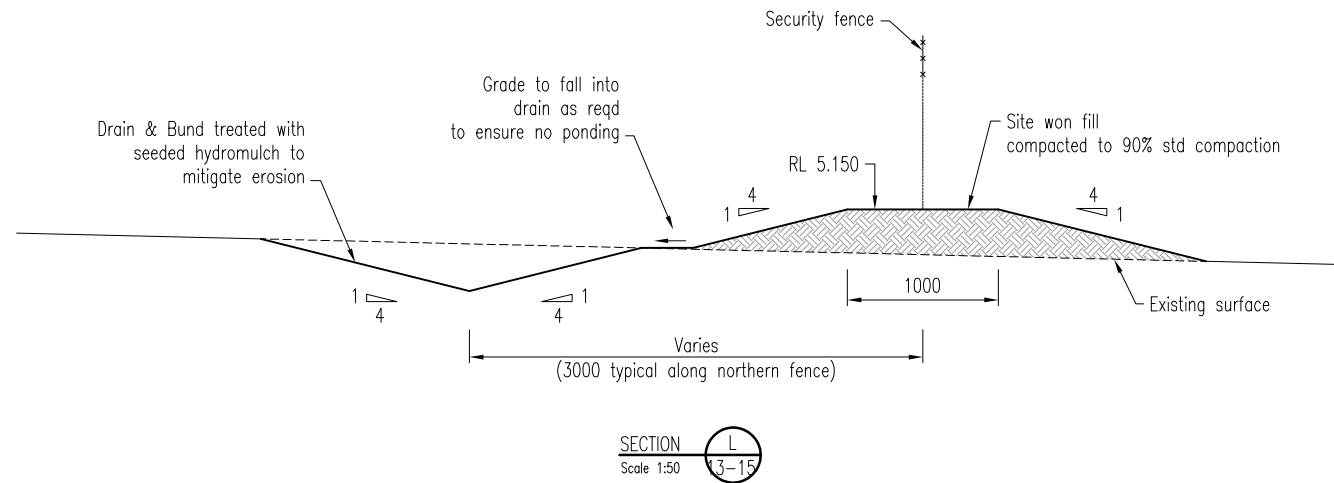
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Drawn	S Weinholt	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:1000		
Checked	SAS	Drawing Name	Drawing Number
Approved	S Strachan RFRQ 2968	Stormwater Management Plan	<b>BP4336D15</b>
		Revision <b>B</b>	

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**Open Drain Long Section**

Scale 1:1000(H) / 1:100(V)

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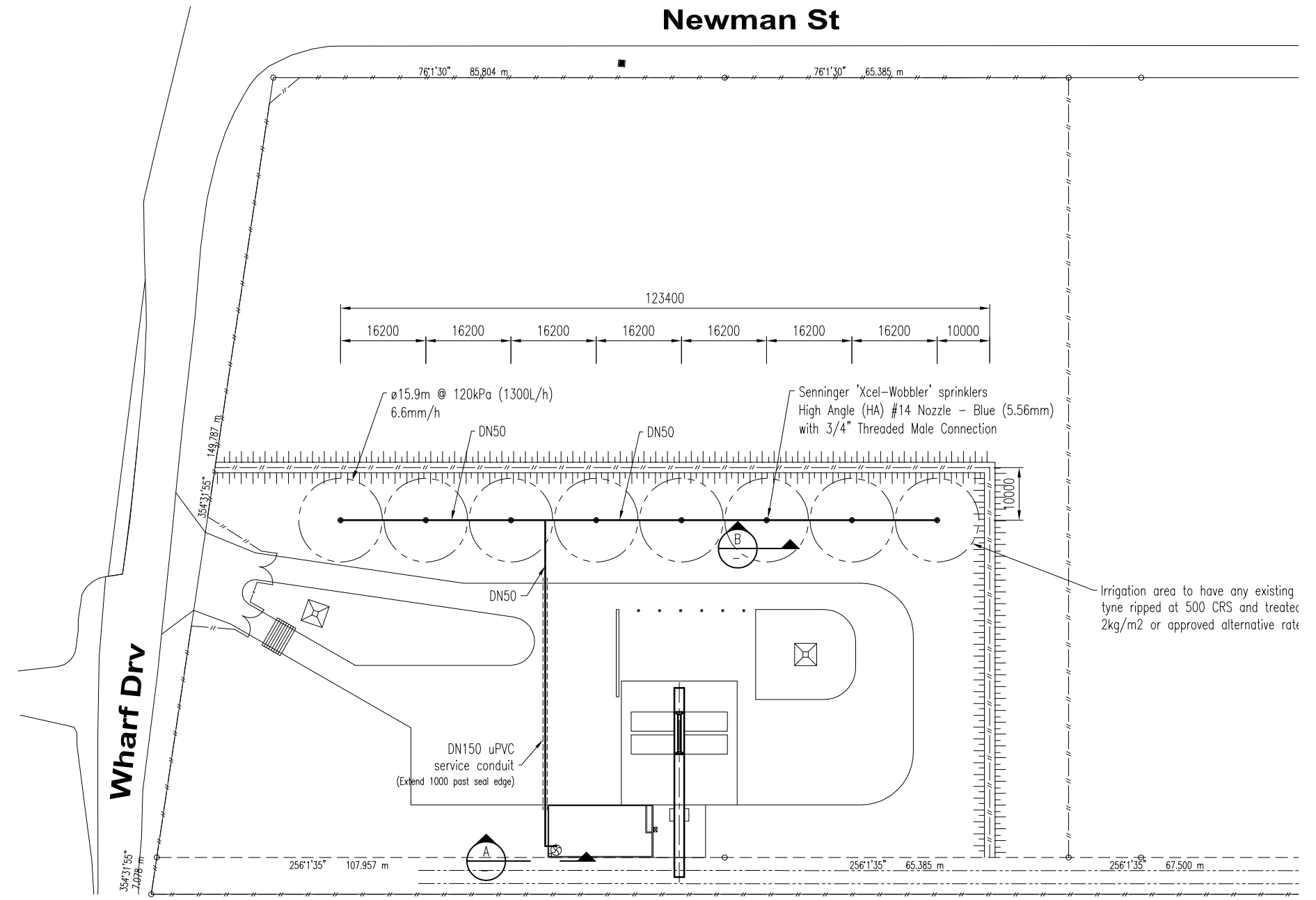
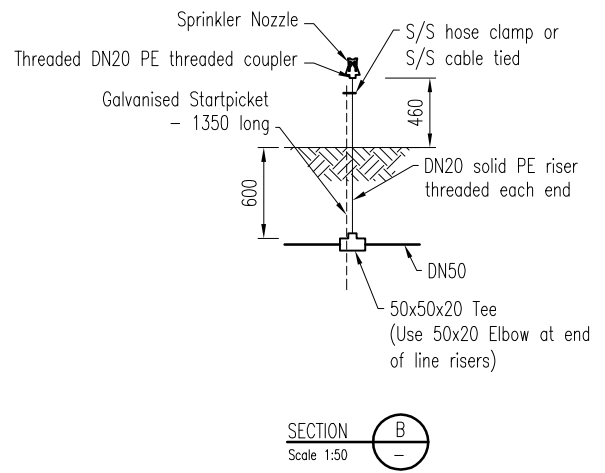
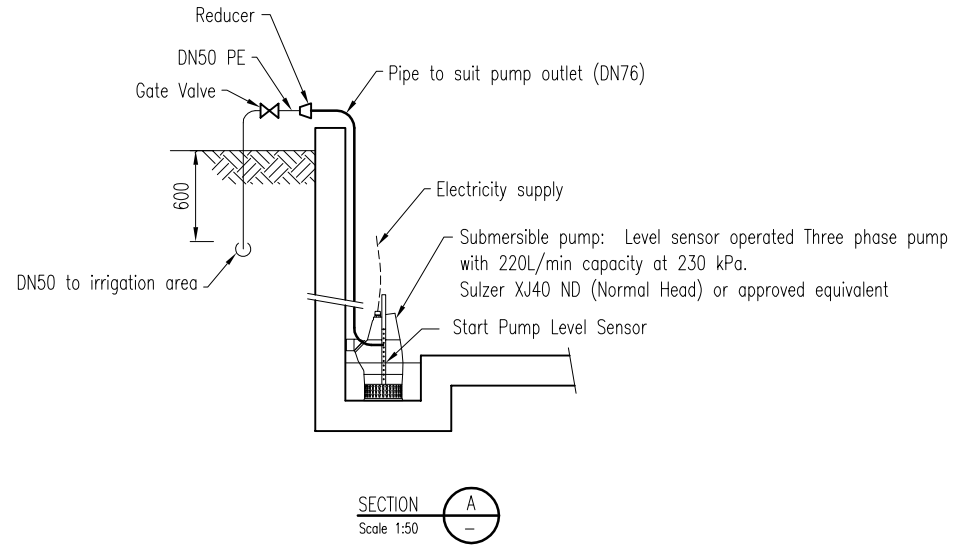
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Client		<b>Loftus</b>	
Drawn	S Weinholt	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:100(V)/1000(H)		
Checked	SAS	Drawing Name	Drawing Number
Approved	S Strachan RFRQ 2968	Open Drain Sections	<b>BP4336D16</b>
		Revision	A

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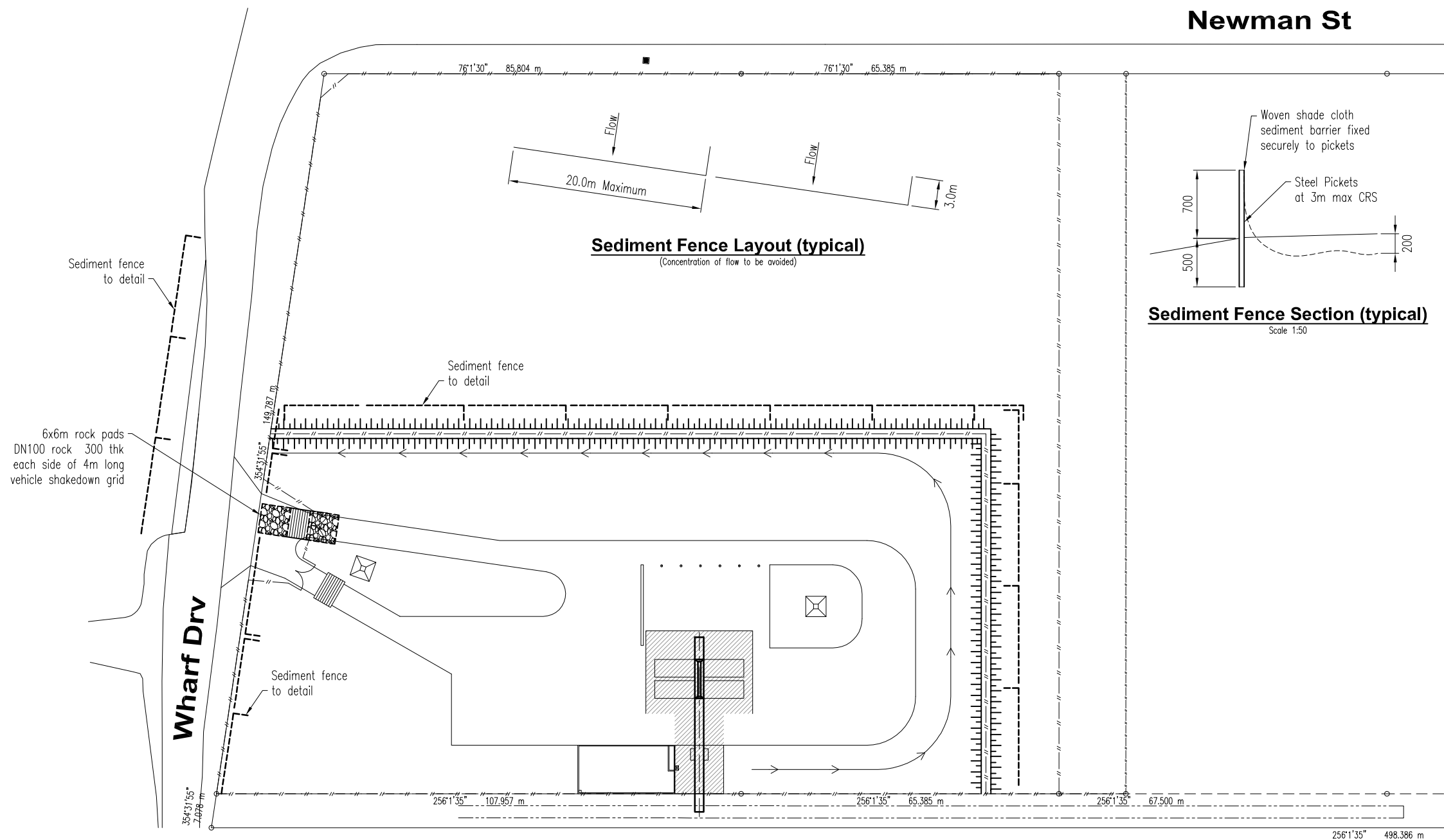
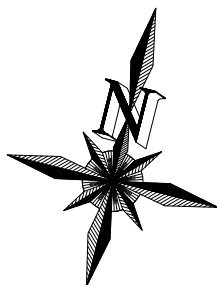
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ABN 42 068 696 524

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Drawn	S Weinholt	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:1000		
Checked	SAS	Drawing Name	Drawing Number
Approved	S Strachan RFQ 2968	Irrigation Plan	<b>BP4336D17</b>
		Revision	A

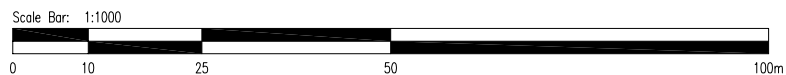
Rev.	Date	Revision Description	Init.
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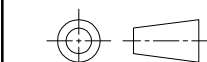
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Client

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Date	10/11/25
Scale	1:1000
Checked	SAS
Approved	S Strachan RFQ 2968

**Loftus**

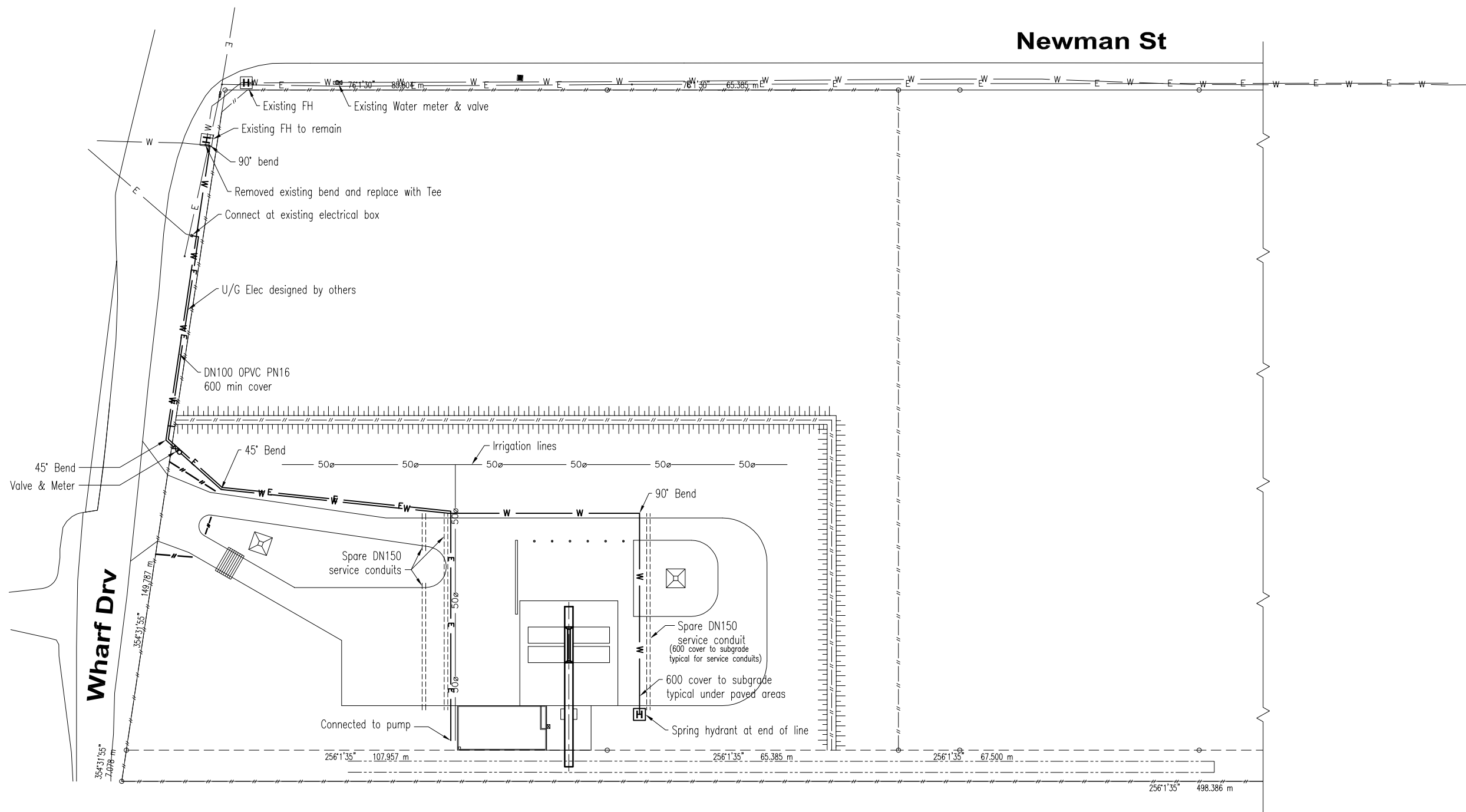
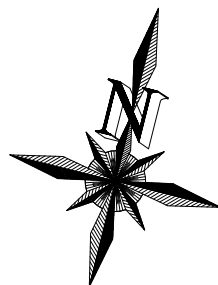
Port of Bundaberg  
Bulk Material Loading Facility  
For: Gladstone Ports Corporation

Drawing Name  
Erosion & Sediment Control Plan

Drawing Number  
**BP4336D17**

Revision  
**A**

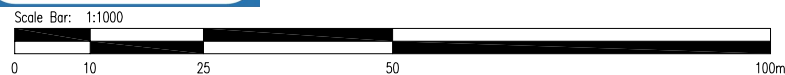
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Date: 8:17 am, 02/04/2026



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Client		<b>Loftus</b>	
Drawn	S Weinholtz	Port of Bundaberg Bulk Material Loading Facility For: Gladstone Ports Corporation	
Date	10/11/25		
Scale	1:1000		
Checked	SAS		
Approved	S Strachan RFQ 2968	Drawing Name	Revision
		Civil Services Arrangement Plan	A
		Drawing Number	
		<b>BP4336D19</b>	



**BMLF - WATER ELECTRICAL ACCESS AREA**

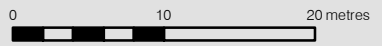
PORT OF BUNDABERG

LEGEND

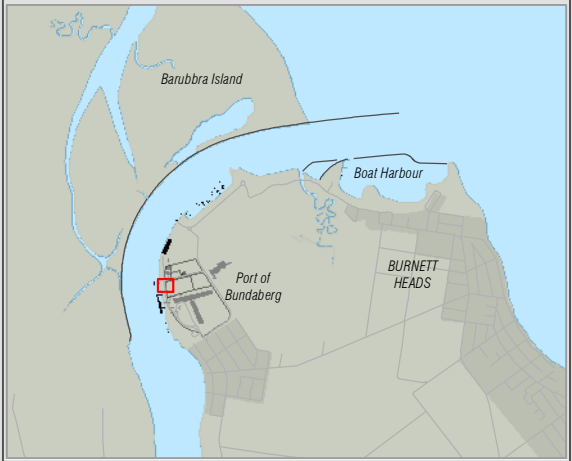
- BMLF - Water & Electrical Access Area
- DCDB



SCALE 1: 500 (A3)



Spatial Reference: MGA Zone 56 (GDA2020) [WKID: 7856]



**GPC250011**  
**28 Jan 2026**



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**GPC** Gladstone Ports Corporation

**APPROVED**

Name: Trudi Smith  
Date: 8:17 am, 02/04/2026

# Stormwater Management Plan



**For:**  
Gladstone Ports Corporation

**At:**  
Lot 1 Newman St, Bundaberg

**Document Number:** BP4336SWMP01 Rev A

**Date:** 4/12/2025

**Author:** Stephen Strachan RPEQ: 2968



## Executive Summary:

This report details the hydraulic designs that have been used to determine the hydraulic characteristics of the stormwater system designed for the proposed development at the above address. It demonstrates that the proposed stormwater system will avoid and mitigate environmental harm to the receiving waters by meeting the requirements as stipulated in the Queensland Government's Environmental Protection (Water) Policy.

## Attachment 3 Extract of Appeal Provisions

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## **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.

*Note—*

For limitations on appeal rights in relation to a development approval for development requiring social impact assessment, see section 106ZJ.

(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.

<b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul style="list-style-type: none"> <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> </ul>

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency’s referral response—the concurrence agency	<ol style="list-style-type: none"> <li>1 A concurrence agency that is not a co-respondent</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 Any eligible advice agency for the application</li> <li>4 Any eligible submitter for the application</li> </ol>
<p><b>2. Change applications</b></p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity’s decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p><b>3. Extension applications</b></p> <p>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—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager

**4. Infrastructure charges notices**

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

(a) the notice involved an error relating to—

(i) the application of the relevant adopted charge; or

*Examples of errors in applying an adopted charge—*

- the incorrect application of gross floor area for a non-residential development
- applying an incorrect ‘use category’, under a regulation, to the development

(ii) the working out of extra demand, for section 120; or

(iii) an offset or refund; or

(b) there was no decision about an offset or refund; or

(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or

(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

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

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government
7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The local government that gave the enforcement notice	—	—

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

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

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

3. Eligible submitter and eligible advice agency appeals

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

(a) any part of the development application or change application that required impact assessment; or

(b) a variation request.

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

4. Compensation claims

An appeal may be made against—

(a) a decision under section 32 about a compensation claim; or

(b) a decision under section 265 about a claim for compensation; or

(c) a deemed refusal of a claim under paragraph (a) or (b).

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

<b>Table 2 Appeals to the P&amp;E Court only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p> <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>	<p>The Minister</p>	<p>—</p>	<p>If an owner or occupier starts the appeal—the owner of the registered premises</p>

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

<b>Table 3 Appeals to a tribunal only</b>
<p>1. Building advisory agency appeals</p> <p>An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>

<b>Table 3 Appeals to a tribunal only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval  2 A private certifier for the development application related to the approval
<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 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p><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 Appeals to a tribunal only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Failure to decide an application or other matter under the Building Act</p> <p>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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The entity that failed to make the decision	—	—
<p>5. Failure to decide an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> 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.</p>			

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

## Attachment 4 Right of Appeal Waiver

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Mail to: Gladstone Ports Corporation Limited  
Email address: [planning@gpcl.com.au](mailto:planning@gpcl.com.au)  
Attention: Planning and Strategy (Planning)

GPC Reference: DA2023/01/03  
Property Address: Cnr Wharf Drive & Newman Street, Burnett Heads

I/We are the Applicant in this matter. I/We have received the above approval and agree to the conditions contained therein. I/We hereby waive the applicant appeal rights available under the provisions of the *Planning Act (Qld) 2016*.

Applicant's Name: Gladstone Ports Corporation Limited

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Attachment 5 Previous Decision Notice

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8 April 2025

Gladstone Ports Corporation Limited  
C/- Amanda Laner  
PO Box 259  
GLADSTONE QLD 4680

Dear Amanda,

**DECISION NOTICE – CHANGE APPLICATION FOR MINOR CHANGE – DA2023/01/01**  
(GIVEN UNDER THE PROVISIONS OF S83 OF THE *PLANNING ACT 2016*)

This changed decision notice replaces the decision notice dated 13 February 2024. Changes are shown in ***italicised bold*** font.

**1. Application Details**

This development application was **properly made** to the Gladstone Ports Corporation Limited on 25 February 2025.

<b>Application Number</b>	DA2023/01/02
<b>Applicant Name:</b>	Gladstone Ports Corporation Limited
<b>Applicant Contact Details:</b>	Gladstone Ports Corporation Amanda Laner PO Box 259 GLADSTONE QLD 4680  Email <a href="mailto:approvals@gpcl.com.au">approvals@gpcl.com.au</a>
<b>Approval Sought:</b>	Change application for a minor change to development approval DA2023/01/01 for Material change of use <ul style="list-style-type: none"><li>• Bulk storage infrastructure and activities, loading / unloading infrastructure and activities Stage 1 (A, B, C)</li><li>• Environmentally Relevant Activity 50(1)(a) &amp; 50(2)</li><li>• Temporary use for mobile unloading facility Stage 1A(i)</li></ul>
<b>Details of Proposed Development:</b>	Change application - Minor change DA2023/01/01 (Condition 55)

<b>Street Address</b>	Cnr Newman Street and 66 Wharf Drive, Burnett Heads
<b>Real Property Description:</b>	Lot 1 RP122698
<b>Land Owner:</b>	Gladstone Ports Corporation Limited

## 2. Details of Proposed Development

Change application for Minor change made under s81 of the Act to development approval DA2023/01/01 for Material change of Use – Bulk storage infrastructure and activities loading / unloading infrastructure and activities Stage 1 (A, B, C), Environmentally Relevant Activity 50(1)(a) and 50(2), and Temporary use for mobile unloading facility Stage 1A(i) to amend Condition 55 of the Development approval issued on 13 February 2025.

## 3. Details of Decision

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 concurrency agency imposed them.

## 4. Details of Approval

This development approval is a **Development Permit** given for Material Change of Use for -

- a. Bulk storage infrastructure and activities and loading and unloading infrastructure and activities Stage 1 (A, B, C,)
- b. Environmentally Relevant Activity 50(1)(a) and 50(2)
- c. Temporary Use for Mobile unloading facility Stage 1A(i)

## 5. Conditions

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

## 6. Further Development Permits

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

- (a) Any relevant Building and Plumbing works;
- (b) Any relevant Operational Works; and
- (c) Any relevant works on roads as required by Bundaberg Regional Council.

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ACN 131 965 896 ABN 96 263 788 242

## 7. Referral Agencies for the Application

The referral agencies for this application are:

Referral Agency	Referral Agency Requirement
<p>Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 BUNDABERG QLD 4670</p> <p><a href="mailto:WBBSARA@dsgmip.qld.gov.au">WBBSARA@dsgmip.qld.gov.au</a></p>	<p><i>Planning Regulation 2017 –</i></p> <p>Material Change of Use (MCU)</p> <p>Schedule 10, part 5, division 4, table 2, item 1 – Non-devolved environmentally relevant activities ERA 50(1)(a) &amp; ERA 50(2)</p>

## 8. Environmental Authority

Environmentally Authority No. P-EA-100388452 for –

- ERA 50 Mineral and bulk material handling – (1)(a) and
- ERA 50 Mineral and bulk material handling – (2)

## 9. Approved Plans and Specifications

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

Drawing/report title	Prepared by	Date	Reference no.	Version
Bundaberg Unloading and Stockpiling Dry Bulk Storage Facility (DBSF) Temporary Loading Facility Layout Plan & Details	Gladstone Ports Corporation Limited	18/01/2024	951-00028	0
Bundaberg Unloading and Stockpiling Multiuser Stockyard Stage 1A and 1B Concept Site Plan	Gladstone Ports Corporation	13/08/2023	951-00027	C

## 10. 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:

- For Material Change of Use this approval lapses if the first change of use does not happen within 6 years after the approval has effect.
- For Temporary Development (temporary mobile unloading facility) lapses within 24 months from the commencement of the use.***

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## 11. 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 4** includes 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 49761314 or via email [planning@gpcl.com.au](mailto:planning@gpcl.com.au)

Yours sincerely



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

cc: Bundaberg Regional Council

WBB SARA

Enc. Attachment 1: Conditions of Approval  
Part 1 – Conditions imposed by the assessment manager  
Part 2 – Conditions imposed by the referral agency 19/01/2024

Attachment 2: Approved plans and specifications

Attachment 3: Original Decision Notice

**Gladstone Ports Corporation Limited**

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ACN 131 965 896 ABN 96 263 788 242

## Attachment 1 Conditions of Approval

### PART 1: ASSESSMENT MANAGER CONDITIONS

In general the development proposal is in compliance with the requirements of Gladstone Ports Corporation Limited (GPC). This development approval is subject to each the following conditions which are stated by GPC, the Assessment Manager.

#### Part 1a: Approval sought under *Planning Act 2016* – Material Change of Use on Strategic Port Land

CONDITIONS
<b>ALL DEVELOPMENT</b>
<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. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of each respective stage of the development.
3. Where additional “approval” is required under these conditions by the Assessment Manager (Gladstone Ports Corporation Limited [GPC]) for drawings or documentation the Applicant must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.  Furthermore, the Assessment Manager will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the works. Should further information be required for assessment, the Assessment Manager will require a further 5 business days to complete the information request assessment and response.
4. 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.
5. Upon completion of the works for each stage, sub-stage and Temporary Development, the Applicant must provide the Assessment Manager with RPEQ certified “As Constructed” plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity.
6. Prior to each of the approved Stages, sub-stages and Temporary Development commencing, the Applicant must certify that the development is constructed as per design and that the development has been constructed generally in accordance with the Approved plans for each stage.

## Product

7. Records must be kept for each product and tonnes exported per annum and made available to the Assessment Manager upon request.

## Amended Plans

8. Prior to commencement of the use, the following plans must be resubmitted to the Assessment Manager for approval and must incorporate the approved layout plan for the Temporary Development (mobile unloading facility) use –

- a. Temporary Load-Out Facility Erosion and Sediment Control Plan'
- b. The Common User Infrastructure Storage Facility – Temporary Loading Facility Construction Environmental Management Plan and
- c. The Common User Infrastructure Storage Facility – Temporary Loading Facility Operational Environmental Management Plan.

9. In conjunction with the submission of any Operational Works application or Building work application for Stage 1A, or prior to the commencement of the use for Stage 1A, whichever occurs first, submit to and have approved by the Assessment Manager drawings/plans and/or documents as follows:

- a. Overall staging plan that encompasses Stage 1A, 1B and 1C;
- b. Site plans and/or elevations for the Stage 1A start-up that gives consideration to the following –
  - i. Minimum 6m building setback from any road frontage;
  - ii. Stormwater management system;
  - iii. Location of wheel wash and capture system;
  - iv. Roadways and aprons and
  - v. Proposed landscaping and fencing.
- c. Site plans and/or elevations for the Stage 1B permanent covering for Stockpile 1 that gives consideration to the following –
  - i. Elevations for the permanent cover for Stockpile 1;
  - ii. Modifications to the stormwater and drainage system.
- d. Site plans and/or elevations for the Stage 1C duplication of stockpile 1 and site office that gives consideration to the following –
  - i. Minimum 6m building setback from any road frontage;

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ACN 131 965 896 ABN 96 263 788 242

- ii. Details of materials and external finishes and colouring for site office;
- iii. Landscaping and fencing;
- iv. Pedestrian path of travel that ensures safe access/egress to the site;
- v. Building entry to be oriented towards the primary road frontage;
- vi. Any proposed signage (dimensions and location);
- vii. Location of waste bins including swept path plans for waste collection vehicle;
- viii. Vehicle parking, manoeuvring and access for administration staff and visitor car parking that complies with the standards for access manoeuvring, circulation and parking areas in accordance with GPC's Transport, Access and Car Parking Guideline, including Table 1 Vehicle Parking Rates; and
- ix. Stormwater management system.

10. In conjunction with the submission of any Operational Works application or Building work application for Stage 1A, provide site plans highlighting proposed internal pavement surfacing treatments for each stage and sub-stages of the development.

11. Prepare and submit to the Assessment Manager for approval as part of Stage 1A development and prior to the commencement of the use, a Landscape Plan for the full development. The plan must be prepared in accordance with the Port of Bundaberg Land Use Plan 2020 – Landscaping Guideline, and the conditions of this approval. The plan is to include, but not be limited to the following:

- a. Minimum 2m wide landscaping strip along the front boundary (Wharf Drive and Newman Street) excluding access/egress points;
- b. Provision of mature trees and/or species to a minimum 3m height to the Newman Street frontage of the site;
- c. Details of any proposed irrigation systems; and
- d. Provision of shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces.

12. Landscaping is to be carried out and maintained in accordance with approved plans. The Applicant must maintain the property frontage in a clean and tidy manner at all times, including during the operation of the temporary development.

### **Staging**

13. Prior to works commencing for each relevant stage or sub-stage, the proponent must supply to the Assessment Manager for approval 100% design 'for construction' plans,

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(signed by an RPEQ Engineer) in electronic CAD format which illustrate all infrastructure and services installed on, under or over Port land associated with the development.
14. The proposed Staged development is to be undertaken in sequential order i.e. Stage 1A(i), Stage 1A, Stage 1B, and Stage 1C.
15. Prior to the commencement of use of Stage 1A, install a wheel wash facility at the access/egress to the material storage area/s of the site. The wheel wash facility must be connected to suitable infrastructure and services.
16. Prior to the commencement of Stage 1A(i), the street address and appropriate signage is to be provided to the primary frontage of the site (Wharf Drive). Signage to the Newman Street access is to be amended at Stage 1C to ensure the general public does not enter the site from Newman Street.
17. In conjunction with Stage 1C, install and maintain suitable screening to all air conditioning, waste service facilities or equipment located on an external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the building façade or as an architectural feature of and visually consistent with the profile of the building.
18. For each stage of development, install and maintain security fencing along external boundaries of the premises as indicated on approved plans. Fencing must be constructed of 1.8m high transparent black PVC plastic coated chain wire mesh with black posts, unless otherwise approved by the Assessment Manager. The provision of mesh cloth screening to the security fence may be provided as an alternative for the Temporary Development activity.
<b>Construction</b>
19. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) is to be restricted to between 6.30am and 6:30pm Monday to Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager
20. Unless otherwise agreed to in writing by the Assessment Manager, prior to construction works commencing on site for any stage, including the Temporary Development, a Construction Traffic Management Plan (CTMP) specific to the construction works being undertaken must be submitted to the Assessment Manager for approval.  The CTMP must be amended and approved by the Assessment Manager as necessary for any proposed or amended construction works. All activities associated with construction must be carried out in accordance with the approved CTMP
21. Upon completion of the construction works for any stage, including the Temporary Development, the Applicant must reinstate the property to the same condition prior to the works being undertaken unless agreed to in writing by the Assessment Manager.
22. In the event works are required to be carried out outside the lease area, the Applicant or

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<p>their contractor must obtain a Consent to Enter from GPC's Property team prior to works commencing via 07 4976 1334 or <a href="mailto:property@gpcl.com.au">property@gpcl.com.au</a>.</p>
<p>23. The construction compound, including offices, laydown areas and employee car parking, is to be contained within the nominated area unless otherwise approved in writing by the Assessment Manager.</p> <p>In the event a construction compound is required on port land outside the project lease area for offices, laydown areas, employee car parking or stockpiling areas etc., the Applicant or their contractor must also obtain a Consent to Enter from the GPC's Property team via 07 4976 1334 or <a href="mailto:property@gpcl.com.au">property@gpcl.com.au</a> prior to works commencing.</p>
<p>24. At all times, no product, materials, minerals, mud, dirt or other debris is to be tracked onto port roads and / or public roads during construction and operation of all stages development.</p>
<p>25. Construction fill material must be uncontaminated and reused from onsite or sourced from a licensed quarry unless otherwise approved by the Assessment Manager.</p>
<p>26. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the Applicant must immediately rectify to the satisfaction of the Assessment Manager.</p>
<p>27. Lighting must be designed to facilitate a safe and secure parking area, lit to a standard appropriate for safe night time operations.</p>
<p>28. Prior to each stage and sub-stage of the use commencing, the Applicant 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 for review.</p>
<p>29. The Applicant is required to apply for and obtain from the Assessment Manager, a Permit to Dig/Excavate prior to commencing works by contacting GPC's Port Infrastructure Asset Manager on (07) 4976 1333. All reasonable measures must be taken to identify and protect existing services recorded or otherwise, and where necessary the Applicant must submit a plan to the Assessment Manager for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans.</p>
<p><b>Traffic</b></p>
<p>30. Prior to the commencement of the use for Stage 1A, the Applicant must provide a sealed pavement for the access and egress driveway approved by the Bundaberg Regional Council.</p>
<p>31. An Operational Traffic Management Plan (OTMP) must be provided to the Assessment Manager for approval at least 10 business days prior to the commencement of each</p>

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stage, sub-stage and Temporary Development. All activities associated with the operation must be carried out in accordance with the approved OTMP.

The Operational Traffic Management Plan is to include the following but not limited to -

- a. Type of controls that are in place to ensure truck queuing does not occur or result in blocking the ability for traffic to flow freely along Newman Street or Wharf Drive;
- b. Details of proposed traffic controls (i.e. advanced signage “road closed ahead” etc). Note: Any signage placed on publicly accessible roads must comply with the Austroad’s Guide to Temporary Traffic Management (AGTTM). And where applicable, the amendments referenced in the Queensland guide to Temporary Traffic management (QGTTM).

32. The OTMP is to be prepared by a suitably qualified Traffic Management Designer in accordance with the requirements of the AGTTM where condition 31. b. applies.

33. Any works occurring on or adjacent to publicly accessible roadways shall be undertaken in compliance with the Austroad’s Guide to Temporary Traffic Management (AGTTM) and where applicable, the amendments referenced in the Queensland Guide to Temporary Traffic Management (QGTTM). These documents can be accessed via Austroads, and the Department of Transport & Main Roads Qld <https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Queensland-Guide-to-Temporary-Traffic-Management>

## **ENVIRONMENT**

### **Construction Environmental Management Plan**

34. Prior to the commencement of construction for any stage or temporary development, a Construction Environmental Management Plan (CEMP) is to be submitted to the Assessment Manager for approval, specific to the development that ensures:

- a. environmental risks are identified, managed and continually assessed; and
- b. that staff are trained, aware and competency assessed of their obligations under the CEMP, including a copy of the management plan and development approval available on site at all times; and
- c. that reviews of environmental performance are undertaken at least annually; and
- d. any amendments to the CEMP are to be submitted to the Gladstone Ports Corporation for review and approval; and
- e. any rehabilitation and decommissioning works occur where required.

Once approved the construction of the approved development must be carried out in

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accordance with this CEMP.

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

35. Prior to work commencing on the site, for any stage of development or the temporary development, the CEMP is to be updated and submitted to the Assessment Manager for approval, to include the following amendments –

- a. Section 1.5 – Gladstone Ports Corporation Limited Contact – Environmental Specialist Ph 4976 1255, to be replaced with Gladstone Ports Corporation Environmental Hotline (07) 4676 1617.
- b. Section 2.8 – Emergency preparedness and response – Please include the requirements of DA condition with regards to notification of GPC
- c. Section 3 - Table 6 - Contaminated Land – Earthworks – Disturbance of PFAS Contamination – specifics as to how any intercepted groundwater is proposed to be managed. If specific detail is not proposed to be included, then a more detailed management strategy is to be provided.

36. The CEMP must address the management of land with regard to the Environmental Management Register (EMR) as Lot 1 RP122698 is listed for Notifiable Activity 29 (petroleum product or oil storage). Removal of any fill from the lot will be required to be done so in accordance with the *Environmental Protection Act 1994* (Qld).

### **Operational Environmental Management Plan**

37. Prior to the commencement of each Stage, sub stage and temporary development, an Operational Environmental Management Plan (EMP) is to be submitted to the Assessment Manager for approval, specific to the operations aspect of the development that ensures:

- a. environmental risks are identified, managed and continually assessed; and
- 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; and
- 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; and
- e. any rehabilitation and decommissioning works occur where required and
- f. any relevant air quality objectives for dust or airborne contaminants are achieved.

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Once approved by the Assessment Manager, the approved development must be carried out in accordance with this EMP.

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

### **Acid Sulphate Soils**

38. In the event acid sulphate soils are disturbed/excavated and require treatment on site, a site specific Acid Sulphate Management plan must be submitted to the Assessment Manager for approval prior to such works commencing. Once the management plan is approved, the works must be carried out in accordance with this plan.

### **Sediment control**

39. A Sediment and Erosion Control Plan in accordance with the Environmental Protection Agency's (EPA – guideline – *EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control* and *International Erosion control Association's (IECA) – Best Practice Erosion and Sediment control*, and the *Queensland Urban Drainage manual (QUDM)* is to be prepared by a suitably qualified expert for each sub-stages of the proposed construction works to ensure landscaping and bio-retention areas are suitable protected from sediment inundation.

40. The design of the site drainage system, filling of the site, car parking and accesses must be undertaken so that flows from adjacent properties will not be impeded by the development.

41. Uncontrolled discharges of contaminated washdown water or contaminated stormwater to the adjoining premises or road network, including Wharf Drive, are not permitted.

42. Prior to works commencing for the relevant stage, a lawful point/s of discharge, demonstrating no actionable nuisance, must be established within Lot 276 on SP128643, for all stormwater overflow, exclusive of contaminants.

43. Prior to the commencement of each Stage and Sub stage, a Stormwater Management Plan is to be submitted to the Assessment Manager for approval, specific to the development.

At all times, all construction and operational activities must be managed in accordance with the approved Stormwater Management Plan and any stormwater management strategies in relation to the management of groundwater with regard to per-and poly-fluoroalkyl substances (PFAS) are to be included within the Environmental Management Plan (OEMP and CEMP).

PFAS contaminated water (surface or groundwater) is to be managed in accordance with the *Environmental Protection Act 1994* (Qld), and its supporting regulations and policies, unless a separate management plan has been developed in consultation with and agreed to by the Department of Environment, Science and Innovation, and the

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Assessment Manager.

The Stormwater Management Plan must demonstrate that no nuisance run-off will be generated, including sediments, hydrocarbons or other contaminants.

44. Prior to disposal of groundwater (on or offsite), a copy of the sampling and analysis report for any groundwater testing must be provided to the Assessment Manager for review and approval.

### Incident Notification

45. Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:

- a. release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land;
- b. release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
- c. any environmental complaints received by the holder of this approval; and
- d. non-compliance with conditions of this approval or any other environmental approval obtained in relation to the development.

46. The stockpile area is to be bunded to prevent contaminants being released into the environment or beyond the site boundary. Details of containment of stockpiles shall be included in the "For Construction" and "As Constructed" drawings approved as part of any Operational Works or Building Works applications for any stage.

### Ground water

47. Unless otherwise approved in writing by the Queensland Government Department of Environment and Science (DES), or subsequent equivalent State agency administering the relevant legislation, any groundwater intercepted during construction activities is deemed to be a regulated waste contaminated with PFAS and must be managed and disposed of in accordance with the *Environmental Protection Act 1994* (Qld) and its regulations and policies, unless the proponent has undertaken sampling and testing of the groundwater that has determined per-and poly-fluoroalkyl substances (PFAS) levels are below the regulated waste threshold in the *Environmental Protection Regulation 2019* (Qld).

Any written approval received from the Department of Environment and Science (DES), or subsequent equivalent State agency, must be submitted to the Assessment Manager and be approved by the Assessment Manager in writing

### INFRASTRUCTURE

48. The applicant must notify the Assessment Manager of damage caused to any port

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infrastructure, port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting, roads, underground services or infrastructure as a result of the approved use or during construction. The applicant may undertake the repairs directly in consultation with the Assessment Manager or Bundaberg Regional Council where Council's infrastructure, however, depending upon the nature and location of the damage, the Assessment Manager retains the right to undertake the repairs at the expense of the Applicant.

49. Prior to the commencement of Stage 1A, provision of a new water connection to Gladstone Ports Corporation, and/or Bundaberg Regional Council existing water infrastructure is to be installed by the Applicant with the cost borne by the applicant.

Prior to connection, the Applicant is to provide a Network Analysis Report to Bundaberg Regional Council demonstrating that the proposed service provides compliant pressures and capacity to satisfy the demands of the development.

*Note: For further information contact Council's Water Services Department on 1300 883 699.*

50. An appropriate fire service must be established and maintained to the satisfaction of the relevant authority.

51. An adequate connection to Bundaberg Regional Council's sewer infrastructure must be established prior to Stage 1C use commencing.

*Note: For further information about these requirements, contact Bundaberg Regional Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.*

## **WASTE MANAGEMENT**

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

53. At all times, 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.

## **Contamination**

54. At all times, construction, operations and associated works are not to be conducted in such a manner that would environmentally degrade Gladstone Ports Corporation land or infrastructure. This includes but is not limited to:

- a. Contamination of the land
- b. Encouragement of pest and weed incursion

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- c. Loss of land through poor sediment and erosion controls; and
- d. Localised flooding from poor stormwater management practices/controls.

Any such degradation in or caused by the works or operations must be rectified in a timely manner to the satisfaction of the Assessment Manager and measures implemented to prevent further degradation.

#### TEMPORARY DEVELOPMENT (Mobile unloading facility)

55. The temporary development (mobile unloading facility) Stage 1A(i) is approved for **24 months** from commencement of its use.

*Note: Deleted*

56. Prior to the commencement of Stage 1A(i), install and maintain security fencing along the external boundaries of the premises. Fencing should be constructed of 1.8m high chain wire mesh with galvanised posts (or similar), unless otherwise approved by the Assessment Manager. The provision of mesh cloth screening is to be attached to the security fence for the boundary of the site as an alternative to the provision of landscaping.

#### ADVICE NOTES – WHEN RELEVANT

1. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing and drainage works.
2. Where a Permit to Dig/Excavate prior to commencing excavation or digging for the development, the Applicant or their contractor is required to apply for and obtain the permit by contacting the Port Infrastructure Asset Manager on 4976 1332 or [bartono@gpcl.com.au](mailto:bartono@gpcl.com.au).
3. Where a construction compound or laydown area is required, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from the Assessment Manager's Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
4. Where works are to be undertaken outside tenured areas, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from GPC's Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
5. 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.
6. 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

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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.

7. 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.
8. This decision notice does not represent an approval to commence Building work.
9. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
10. 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.
11. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: [pfso@gpcl.com.au](mailto:pfso@gpcl.com.au), [contracted\\_security@gpcl.com.au](mailto:contracted_security@gpcl.com.au) and [gpcsupervisor@diamondprotection.com](mailto:gpcsupervisor@diamondprotection.com).

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

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

**Gladstone Ports Corporation Limited**

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SARA reference: 2302-33137 SRA  
 Assessment manager reference: DA2023/01/01  
 Applicant reference: P520196

19 January 2024

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

Attention: Ms Trudi Smith

Dear Ms Smith

## SARA referral agency response—Wharf Drive, Burnett Heads

(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 13 February 2023.

### Response

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Outcome:	Referral agency response – No requirements.  Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	19 January 2024
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development details

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Description:	Development Permit	Material Change of Use for Bulk Storage Infrastructure and Activities (multi-product facility), Loading and Unloading Infrastructure and Activities and Temporary Unloading Facility
	Development Permit	Environmentally Relevant Activity (ERA) 50(1)(a) and ERA 50(2)
SARA role:	Referral Agency	

SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (10.5.4.2.1) – Non-devolved environmentally relevant activities (Planning Regulation 2017)
SARA reference:	2302-33137 SRA
Assessment manager:	Gladstone Ports Corporation Limited
Street address:	Wharf Drive, Burnett Heads
Real property description:	Lot 1 on RP122698
Applicant name:	Gladstone Ports Corporation C/- Aurecon
Applicant contact details:	PO Box 1060 MACKAY QLD 4740 planning.mackay@aurecongroup.com
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> <li>• Approved</li> <li>• Reference: P-EA-100388452</li> <li>• Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i></li> <li>• Prescribed environmentally relevant activity (ERA): <ul style="list-style-type: none"> <li>- ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse</li> <li>- ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials.</li> </ul> </li> </ul> <p>If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a>.</p>
<i>Human Rights Act 2019</i> considerations:	A consideration of the 23 fundamental human rights protected under the <i>Human Right Act 2019</i> 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 3**.

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

For further information please contact Jackie Larrarte, Senior Planning Officer, on 07 4122 0407 or via email [WBBSARA@dsdilgp.qld.gov.au](mailto:WBBSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning – Wide Bay Burnett

cc Gladstone Ports Corporation C/- Aurecon, [planning.mackay@arecongroup.com](mailto:planning.mackay@arecongroup.com)

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

## Attachment 1—Advice to the applicant

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<b>General advice</b>	
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 3.0). If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for referral agency response

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

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

The development complies with State code 22: Environmentally relevant activities of SDAP. Specifically, the environmentally relevant activities:

- are located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
- are designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated
- do 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 3.0, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*.

## **Attachment 3— Representations about a referral agency response provisions**

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# 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

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### 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.

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<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>

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<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.

# Permit

## Environmental Protection Act 1994

### Environmental authority P-EA-100388452

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

#### Environmental authority number: P-EA-100388452

**Environmental authority takes effect on the date** that your related development approval DA202/01/01 takes effect. This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

#### Environmental authority holder

Name	Registered address
GLADSTONE PORTS CORPORATION LIMITED	Kullaroo House 40 Goondoon Street GLADSTONE DC QLD 4680

#### Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse	1/RP122698 Lot 1 Wharf Drive, BURNETT HEADS QLD 4670
ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	



**Additional information for applicants**Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website [www.qld.gov.au](http://www.qld.gov.au), using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise - on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature

19/01/2023

Date

Rebecca Griffiths  
Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
Utilities and Government Organisations Assessment  
GPO Box 2454, Brisbane QLD 4001  
Phone: 1300 130 372  
Email: [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au)

### **Obligations under the *Environmental Protection Act 1994***

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

### **Other permits required**

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

### **Development Approval**

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

**Conditions of environmental authority**

Environmentally relevant activities	Location
<p>ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse</p> <p>ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials</p>	<p>1/RP122698 Lot 1 Wharf Drive, BURNETT HEADS QLD 4670</p>

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site-specific conditions of the approval.

Ref	Condition
<b>Schedule: General</b>	
<b>G1</b>	<p><b>Activities</b> under this environmental authority must be undertaken in accordance with <i>Appendix 1: Site Layout</i>. The only exception to this is the <b>temporary activity</b> which must be undertaken in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Operated in accordance with <i>Appendix 2: Temporary Activity</i>, and</li> <li>2. The <b>temporary activity</b> must not be operated for more than <b>28 days</b> per calendar year; and</li> <li>3. The <b>temporary activity</b> must only be operated for a maximum of two calendar years from the take effect date.</li> </ol>
<b>G2</b>	<p><b>Activities</b> under this environmental authority must be undertaken in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. The <b>activity</b> must not accept Silica Sand that has a respirable crystalline silica content of 10% or higher; and</li> <li>2. The amount of bulk materials and minerals handled under this environmental authority must not exceed 475,000 tonnes per year; and</li> <li>3. <b>Records</b> must be kept of the daily quantity of material or minerals handled; and</li> <li>4. The commodities that are authorised to be stored and handled under this environmental authority are:               <ol style="list-style-type: none"> <li>(a) Silica sand; and</li> <li>(b) Kaolin; and</li> <li>(c) Feldspar; and</li> <li>(d) Ilmenite; and</li> <li>(e) Organic Soils; and</li> <li>(f) Wood pellets and chips; and</li> </ol> </li> </ol>

Ref	Condition
	<ul style="list-style-type: none"> <li>(g) Feed Grains; and</li> <li>(h) Sorghum; and</li> <li>(i) Maize; and</li> <li>(j) Corn.</li> </ul>
<b>G3</b>	All reasonable and practicable <b>measures</b> must be taken to prevent or minimise <b>environmental harm</b> caused, or likely to be caused, by the <b>activity</b> .
<b>G4</b>	Any contravention of a condition of this environmental authority must be reported to the <b>administering authority</b> as soon as practicable and within 24 hours of becoming aware of the contravention.
<b>G5</b>	<p>Within 14 <b>days</b> of providing the notification under condition G4, or a longer period agreed to in writing by the <b>administering authority</b>, an investigation must be completed into any contravention of a condition of the environmental authority to determine:</p> <ul style="list-style-type: none"> <li>a) the potential circumstances and actions that may have contributed to the contravention; and</li> <li>b) the environmental impact of the contravention; and</li> <li>c) reasonable <b>measures</b> that could be implemented to address the cause of the contravention to prevent future contraventions of this nature.</li> </ul>
<b>G6</b>	<p><b>Measures</b> identified under condition G5 must be implemented within:</p> <ul style="list-style-type: none"> <li>a) 28 <b>days</b> of the investigation required by condition G5 being completed; or</li> <li>b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G7</b>	<p>The following details must be recorded for all contraventions of conditions within the environmental authority:</p> <ul style="list-style-type: none"> <li>(a) date and time the contravention occurred; and</li> <li>(b) nature and details of the contravention; and</li> <li>(c) investigations carried out in response to the contravention as required by condition G5; and</li> <li>(d) the results of investigations; and</li> <li>(e) <b>measures</b> implemented under condition G5.</li> </ul>
<b>G8</b>	Other than as permitted by this environmental authority, the <b>release of a contaminant into the environment</b> must not occur.
<b>G9</b>	All <b>records</b> required by the conditions of this environmental authority must be kept for a minimum of five years, and all <b>monitoring results</b> and <b>raw data</b> must be kept until surrender of this environmental authority.

Ref	Condition
<b>G10</b>	<p>All <b>records</b> required by the conditions of this environmental authority must be provided to the <b>administering authority</b>:</p> <ul style="list-style-type: none"> <li>a) within the timeframe specified by the <b>administering authority</b>; and</li> <li>b) in the format requested by the <b>administering authority</b>.</li> </ul>
<b>G11</b>	<p>An <b>appropriately qualified person(s)</b> must <b>monitor</b>, record and interpret all parameters that are required to be monitored by this environmental authority.</p>
<b>G12</b>	<p>The following details must be recorded for all <b>environmental complaints</b> received:</p> <ul style="list-style-type: none"> <li>(a) date and time the complaint was received; and</li> <li>(b) if authorised by the person making the complaint, their name and contact details; and</li> <li>(c) nature and details of the complaint; and</li> <li>(d) investigations carried out in response to the complaint as required by condition G13; and</li> <li>(e) the results of investigations; and</li> <li>(f) <b>measures</b> implemented under condition G14.</li> </ul>
<b>G13</b>	<p>An investigation must be undertaken within <b>28 days</b> (or a longer period agreed to in writing by the <b>administering authority</b>) into all <b>environmental complaints</b> received to determine:</p> <ul style="list-style-type: none"> <li>(a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and</li> <li>(b) reasonable <b>measures</b> that could be implemented to address the complaint.</li> </ul>
<b>G14</b>	<p><b>Measures</b> identified under condition G13 must be implemented within:</p> <ul style="list-style-type: none"> <li>(a) <b>28 days</b> of the investigation required by condition G13 being completed; or</li> <li>(b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G15</b>	<p>When requested by the <b>administering authority</b>, <b>monitoring</b> must be undertaken in the manner and within the timeframe prescribed by the <b>administering authority</b>, to investigate any alleged <b>environmental harm</b> caused by the <b>activity</b>.</p>
<b>G16</b>	<p>The results, including an analysis of the results, of <b>monitoring</b> required by condition G15 must be provided to the <b>administering authority</b>:</p> <ul style="list-style-type: none"> <li>(a) within <b>10 days</b> after receipt of <b>monitoring results</b>; or</li> <li>(b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G17</b>	<p>Written procedures must be developed which:</p> <ul style="list-style-type: none"> <li>(a) identify all potential risks to the environment from the <b>activity</b>, including:</li> </ul>

Ref	Condition
	<ul style="list-style-type: none"> <li>(i) during routine operations; and</li> <li>(ii) outside routine operations; and</li> <li>(iii) during closure; and</li> <li>(iv) in an emergency; and</li> </ul> <p>(b) identify <b>measures</b> to prevent or minimise the potential for <b>environmental harm</b> for each of the potential risks identified; and</p> <p>(c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and</p> <p>(d) establish a staff training program on obligations under this environmental authority and the <i>Environmental Protection Act 1994</i> to be conducted as part of staff inductions and at least annually thereafter; and</p> <p>(e) establish processes to review environmental risks, incidents, performance, and <b>environmental complaints</b>.</p>
<b>G18</b>	<p>Written procedures required by condition G17 must be:</p> <ul style="list-style-type: none"> <li>(a) implemented; and</li> <li>(b) reviewed at least every two years; and</li> <li>(c) provided to the <b>administering authority</b> upon request and within a timeframe specified by the <b>administering authority</b>.</li> </ul>
<b>G19</b>	<p>Plant and equipment necessary to comply with the conditions of this environmental authority must be installed, operated, calibrated and maintained:</p> <ul style="list-style-type: none"> <li>(a) in a proper and effective manner; and</li> <li>(b) in accordance with the written procedures developed under condition G17 for the plant and equipment.</li> </ul>
<b>G20</b>	<p>Chemicals and fuels in containers of greater than 15 litres must be stored within a <b>secondary containment system</b>.</p>
<b>Schedule: Air</b>	
<b>A1</b>	<p>Other than as approved in this environmental authority, odours or airborne contaminants from the <b>activity</b> must not cause <b>environmental harm</b> or <b>environmental nuisance</b> at any <b>sensitive place</b> or <b>commercial place</b>.</p>
<b>A2</b>	<p>Dust and particulate matter emissions from the <b>activity</b> must not exceed the following concentrations at any <b>sensitive place</b> or <b>commercial place</b>:</p> <ul style="list-style-type: none"> <li>a) dust deposition of 120 milligrams per square metre per <b>day</b>, averaged over 30 <b>days</b>, when monitored in accordance with the latest edition of Australian Standard AS/NZS 3580.10.1 <i>Methods for sampling and analysis of ambient air, Method 10.1</i>:</li> </ul>

Ref	Condition																																																
	<p><i>Determination of particulate matter – Deposited matter – Gravimetric method; or</i></p> <p>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (<math>\mu\text{m}</math>) (<math>\text{PM}_{10}</math>) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance with the latest edition of the relevant Australian Standards.</p>																																																
<b>A3</b>	When requested by the <b>administering authority</b> , dust, particulate matter and/or odour <b>monitoring</b> and investigation must be undertaken by an <b>appropriately qualified person(s)</b> to investigate a complaint of <b>environmental nuisance</b> caused by dust, particulate matter and/or odour.																																																
<b>Schedule: Land</b>																																																	
<b>L1</b>	Contaminants from the <b>activity</b> must not be released to <b>land</b> .																																																
<b>L2</b>	Any spillage of wastes, contaminants, products or other materials must be cleaned up immediately. Such spillages must be cleaned up using methods that prevent the release of waste, contaminants, products or other materials to air and <b>waters</b> .																																																
<b>Schedule: Waste</b>																																																	
<b>W1</b>	All waste generated by the <b>activity</b> must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.																																																
<b>Schedule: Noise</b>																																																	
<b>N1</b>	Other than as approved in this environmental authority, noise generated by this <b>activity</b> must not cause <b>environmental harm</b> or <b>environmental nuisance</b> at any <b>sensitive place</b> or <b>commercial place</b> .																																																
<b>N2</b>	<p>Noise from the <b>activity</b> must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table 3 – Noise limits</i> at any <b>sensitive place</b> or <b>commercial place</b>.</p> <p><b>Table 3 – Noise limits</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Noise level measured in dB(A)</th> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sunday and Public Holidays</th> </tr> <tr> <th>7am–6pm</th> <th>6pm–10pm</th> <th>10pm–7am</th> <th>9am–6pm</th> <th>6pm–10pm</th> <th>10pm–9am</th> </tr> </thead> <tbody> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a sensitive place</b></td> </tr> <tr> <td><b>L<sub>Aeq</sub> adj, 1 hr</b></td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> </tr> <tr> <td><b>L<sub>Amax</sub>, 1 hr</b></td> <td>not applicable</td> <td>not applicable</td> <td>49</td> <td>not applicable</td> <td>not applicable</td> <td>49</td> </tr> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a commercial place</b></td> </tr> <tr> <td><b>L<sub>Aeq</sub> adj, 1 hr</b></td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> </tr> </tbody> </table>	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am–6pm	6pm–10pm	10pm–7am	9am–6pm	6pm–10pm	10pm–9am	<b>Noise measured at a sensitive place</b>							<b>L<sub>Aeq</sub> adj, 1 hr</b>	40	40	40	40	40	40	<b>L<sub>Amax</sub>, 1 hr</b>	not applicable	not applicable	49	not applicable	not applicable	49	<b>Noise measured at a commercial place</b>							<b>L<sub>Aeq</sub> adj, 1 hr</b>	50	50	50	50	50	50
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Ref	Condition
	<p><b>Associated Requirements</b></p> <ol style="list-style-type: none"> <li>1. All <b>monitoring</b> devices must be correctly calibrated and maintained.</li> <li>2. All <b>monitoring</b> of noise emissions from the <b>activity</b> must be undertaken when the <b>activity</b> is in operation.</li> <li>3. All <b>monitoring</b> of noise emissions from the <b>activity</b> must be undertaken in accordance with the latest edition of the <i>Noise measurement manual</i> (available on the Queensland government website), the relevant Australian Standard and the <i>Environmental Protection Regulation 2019</i> (Chapter 5, Part 4).</li> </ol>
N3	<p>The following must be recorded when undertaking <b>monitoring</b> of noise emissions from the <b>activity</b>:</p> <ol style="list-style-type: none"> <li>a) All equipment in operation at the time of the noise measurement; and</li> <li>b) The <b>mode of operation</b> of all active equipment at the time of the noise measurement.</li> </ol> <p><i>Note: results and <b>monitoring</b> reports are <b>records</b> that must be kept in accordance with condition G8.</i></p>
N4	<p>When requested by the <b>administering authority</b>, noise <b>monitoring</b> must be undertaken by <b>appropriately qualified person(s)</b> in the manner prescribed by the <b>administering authority</b>, to investigate a complaint of <b>environmental nuisance</b> arising from the <b>activity</b>. The noise <b>monitoring</b> data must be provided within 10 days to the <b>administering authority</b> upon request.</p>
<b>Schedule: Water</b>	
WT1	Contaminants must not be released to <b>waters</b> .
WT2	<p>Stormwater runoff must be managed to:</p> <ol style="list-style-type: none"> <li>a) prevent stormwater from entering <b>disturbed areas</b>; or</li> <li>b) direct stormwater that has entered <b>disturbed areas</b> or a <b>first flush diversion system</b>, to <b>stormwater treatment and retention measures</b>.</li> </ol>
WT3	<p>Stormwater contained within <b>stormwater treatment and retention measures</b>, may only be released to surface <b>waters</b> where:</p> <ol style="list-style-type: none"> <li>a) beneficial reuse of contained stormwater runoff on site is not viable; and</li> <li>b) <b>first flush diversion systems</b> are installed, operated and maintained in a proper and effective manner; and</li> <li>c) the release is necessary to prevent an exceedance of the stormwater retention capacity required by condition WT6; and</li> <li>d) the release complies with conditions WT4 and WT5.</li> </ol>
WT4	Releases of contained stormwater in accordance with condition WT3 must not:

Ref	Condition
	<ul style="list-style-type: none"> <li>a) produce any slick or other visible evidence of oil or grease; and/or</li> <li>b) contain visible floating oil, grease, scum, litter, or other visually objectionable matter; and/or</li> <li>c) contain any other properties at a concentration capable of causing <b>environmental harm</b>.</li> </ul>
<b>WT5</b>	Releases of contained stormwater in accordance with condition WT3 must not cause: <ul style="list-style-type: none"> <li>a) erosion of the bed and banks of the receiving <b>waters</b>; and/or</li> <li>b) disturbance to vegetation; and/or</li> <li>c) a build-up of sediment.</li> </ul>
<b>WT6</b>	<b>Stormwater treatment and retention measures</b> must have capacity to retain stormwater runoff from <b>disturbed areas</b> generated by a rainfall event up to and including a <b>24-hour rainfall event with an Annual Exceedance Probability (AEP) of 10%</b> .

## Definitions

Where a word or phrase in this document is defined in this Schedule or within the document, it has its corresponding meaning. Where a word or phrase in this document is not defined in this Schedule, it has the meaning given to it in (in order of priority):

- the *Environmental Protection Act 1994* (EP Act), its regulations or its environmental protection policies;
- the *Acts Interpretation Act 1954*;
- the Macquarie Dictionary (taking account of the context in which the word or phrase is used in this document).

For example, environmental value, **environmental harm**, **environmental nuisance**, material environmental harm, serious environmental harm and relevant act are defined in the EP Act and groundwater is defined in the *Environmental Protection Regulation 2019*.

Defined words or phrases in the singular include the plural and vice versa.

**24-hour rainfall event with an Annual Exceedance Probability of 10%** means the maximum Design Rainfall Depth (mm) from a 24-hour duration precipitation event with an annual exceedance probability of 10%.

The Design Rainfall Depth (mm) for an AEP probability of 10% over a 24-hour duration can be calculated for your location using the Intensity–Frequency–Duration (IFD) Design Rainfall Data System on the Bureau of Meteorology website.

**Activity** means the environmentally relevant activities to which this environmental authority relates and, unless otherwise stated, includes both the **activity** as shown in *Appendix 1: Site Layout* and the **temporary activity** as shown in *Appendix 2: Temporary Activity*.

**Administering authority** means the Chief Executive administering the *Environmental Protection Act 1994*.

**Appropriately qualified person(s)** means a person (or persons) who has professional qualifications, training, skills or experience relevant to the environmental authority (EA) requirements and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

**Commercial place** means a place, or part of a place, used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

**Day(s)** means any 24-hour period of a calendar day.

**Disturbed areas** means areas disturbed by the carrying out of the **activity** including areas:

- a) that are susceptible to erosion; and/or
- b) that are contaminated by the **activity**; and/or
- c) upon which stockpiles of soil, minerals, or other materials are located.

**Environmental complaints** means an expression of dissatisfaction, concern or report, whether written or verbal, about the **activity** and/or its impact on the environment.

**Environmental harm** as defined in Section 14 of the *Environmental Protection Act 1994*.

**Environmental nuisance** as defined in Section 15 of the *Environmental Protection Act 1994*.

**First flush diversion system** means a system that diverts the initial 10mm of rainfall from roofed structures to the **stormwater treatment and retention measures**.

**L<sub>Aeq adj, 1 hr</sub>** means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1-hour period has the same mean square sound pressure of a sound that varies with time.

**L<sub>Amax, 1 hr</sub>** means the maximum A-weighted sound pressure level over the 1-hour measurement period.

**Land** means land excluding **waters** and the atmosphere.

**Measures** has the broadest interpretation and includes plant, equipment, physical objects, **monitoring**, procedures, actions, directions and competency.

**Mode of operation** means a condition or manner in which a unit may operate or function while on location or in transit.

**Monitoring results** includes analysis results (laboratory and in situ) and **monitoring** reports.

**Monitor, monitored and monitoring** means monitoring the impact of an **activity** on the receiving environment and includes analysing, assessing, examining, inspecting, measuring, modelling or reporting any of the following matters—

- (a) the quantity, quality, characteristics, timing and variability of the release of any contaminant; and
- (b) the effectiveness of any control measure; and
- (c) the characteristics of, and impact on, the receiving environment; and
- (d) the effectiveness of remedial or rehabilitation **measures** (if applicable to the relevant monitoring requirement).

**Raw data** means primary data collected from a source that has not been processed and includes **monitoring** sheets, **monitoring** device readings, laboratory analysis results and certificate of analysis.

**Records** include any written procedures, plans, **monitoring** results, and **monitoring** programs required under a condition of this environmental authority.

**Release of a contaminant into the environment** means to:

- (a) deposit, discharge, emit or disturb the contaminant; or
- (b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed; or
- (c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed; or
- (d) allow the contaminant to escape; or
- (e) fail to prevent the contaminant from escaping.

**Secondary containment system** means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to **land** or **waters**.

**Sensitive place** is any part of the following:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a kindergarten, school, university or other educational institution; or
- d) a medical centre or hospital; or

- e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- f) a public park or garden; or
- g) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2019*; or
- h) the area within the curtilage of any of the above places.

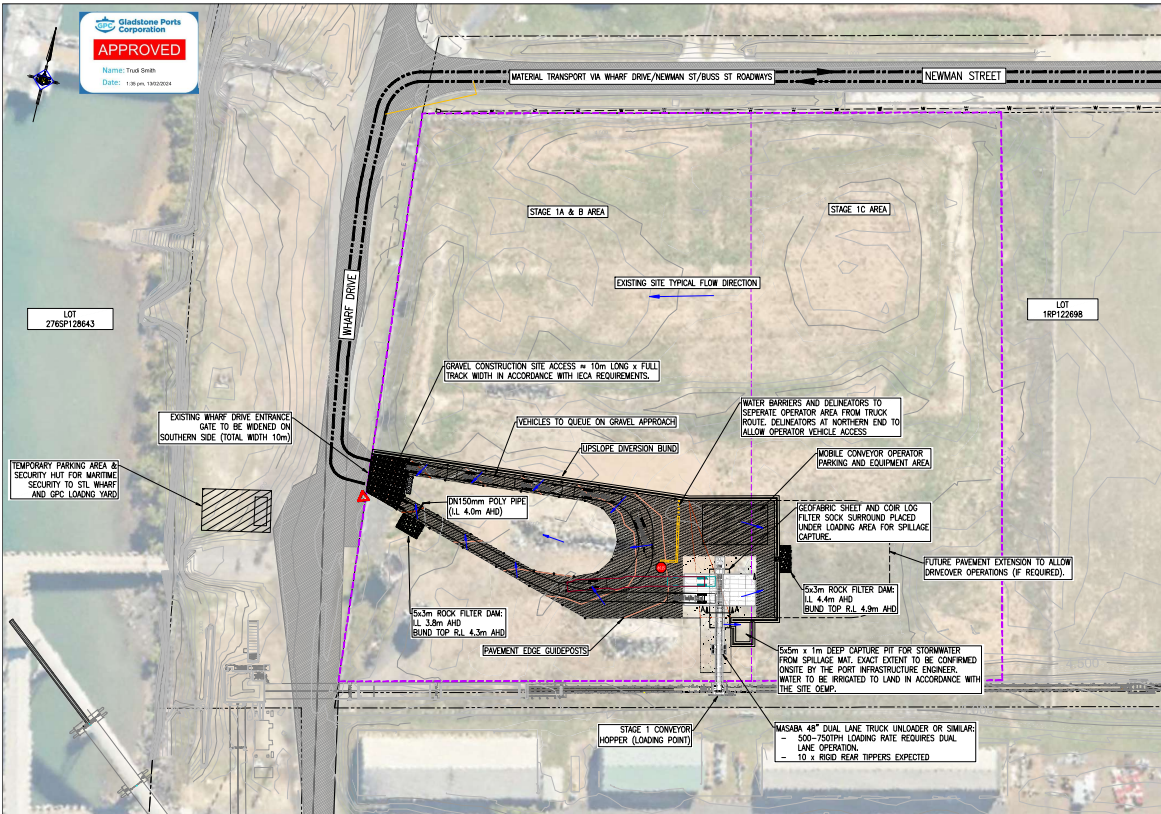
**Stormwater treatment and retention measures** include stormwater dams/ponds and sediment dams/ponds, and other sediment management infrastructure both temporary and permanent, operated as part of the **activity**.

**Temporary activity** means the **activity** undertaken in accordance with the site layout shown in *Appendix 2: Temporary Activity*, which is authorised to be operated for no more than 28 **days** per calendar year.

**Waters** includes a river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

# Attachment 2 Approved Plans and Specifications

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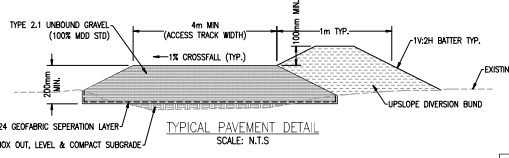
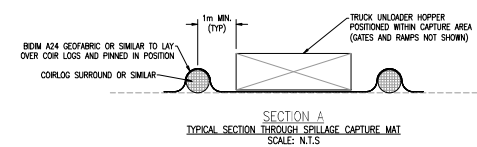


- GENERAL NOTES:**
- THIS PLAN INDICATES A PROPOSED SUB-STAGE OF THE DRY BULK STORAGE FACILITY (DBSF) DEVELOPMENT (DA2023/01/01) TO ENABLE QUICK ESTABLISHMENT OF TEMPORARY BULK MATERIAL LOADING AT THE SITE. STORAGE OF MATERIALS WOULD BE LOCATED OFFSITE AT AN ALTERNATIVE FACILITY AND TRANSPORTED TO SITE AT TIME OF VESSEL LOADING ONLY WITH NO ONSITE STORAGE.
- TRAFFIC MANAGEMENT:**
- MATERIAL TRANSPORT ROUTES WITHIN THE PORT AREA ARE VIA EXISTING SEALED ROADWAYS.
  - SITE ACCESS IS VIA THE EXISTING WHARF DRIVE PROPERTY ACCESS.
  - GUIDE POSTS SHALL BE INSTALLED ON PAVEMENT EDGES AT 10m NOMINAL SPACING ON STRAIGHTS AND 5m ON CURVES.
  - WATER BARRIERS & TEMPORARY T-BOLLARD DELINEATORS TO SEPARATE OPERATOR AREAS FROM INTERNAL TRUCK ROUTE.
  - EXACT OPERATIONAL TRAFFIC MANAGEMENT ONSITE SHALL BE DETERMINED BY THE SITE OPERATOR.
  - TEMPORARY ONSITE LIGHTING FOR NIGHT HOURS OPERATIONS TO BE CONFIRMED BY THE OPERATOR.
  - IF REQUIRED, PENDING SITE MONITORING OF TRAFFIC OPERATIONS, ANY TRAFFIC MANAGEMENT CONTROLS REQUIRED ON PUBLICLY ACCESSIBLE ROADS IS TO BE IMPLEMENTED IN ACCORDANCE WITH AUSTRALIAN GUIDE TO TEMPORARY TRAFFIC MANAGEMENT (AGTM) & THE QLD GUIDE TO TEMPORARY TRAFFIC MANAGEMENT (QGTMM).
- EARTHWORKS:**
- PAVEMENT CONSTRUCTION SHALL BE UNDERTAKEN IN ACCORDANCE WITH THE REQUIREMENTS DETAILED IN THE PROJECT DRAWINGS AND O&M CONSTRUCTION SPECIFICATION C242 - FLEXIBLE PAVEMENTS, UNLESS APPROVED OTHERWISE ONSITE BY THE PORT INFRASTRUCTURE ENGINEER.
  - PAVEMENTS SHALL BE COMPACTED TO A MINIMUM 100% MDD (STANDARD, AS1289.5.1.1). TESTING REQUIREMENTS & FREQUENCY SHALL BE AT THE DISCRETION OF THE PORT INFRASTRUCTURE ENGINEER AND SHALL TO BE PERFORMED BY AN APPROPRIATE GEOTECHNICAL TESTING AUTHORITY (LEVEL 2 TESTING & SAMPLING).
  - BULK EARTHWORKS VOLUMES:
    - 11.1. CUT = 225m<sup>3</sup>
    - 11.2. FILL = 130m<sup>3</sup>
  - PAVEMENT VOLUMES (TYPE 2.1):
    - 12.1. FILL = 425m<sup>3</sup>
    - 12.2. FILL = 100m<sup>3</sup>
  - ROCK GABION VOLUMES:
    - 13.1. FILL = 100m<sup>3</sup>
- STORMWATER MANAGEMENT:**
- EROSION & SEDIMENT CONTROLS (IN ACCORDANCE WITH IECA BEST PRACTICE GUIDELINES) TO BE PROVIDED - REFER TO ES&C PLAN #P50196 FOR FURTHER DETAILS. EXACT CONFIGURATION OF ES&C CONTROLS TO BE CONFIRMED ONSITE BY THE PORT INFRASTRUCTURE ENGINEER.
  - A SACRIFICIAL GEOTEXTILE AND FILTER SOCK MAT IS TO BE PLACED UNDERNEATH THE LOADING AREA TO CAPTURE SPILLAGE. CLEANUP AND REMOVAL OFFSITE IS REQUIRED FOLLOWING COMPLETION OF LOADING.
  - STORMWATER CATCHMENT PIT TO BE CONSTRUCTED TO HOLD A 1 IN 10 AEP 24HR EVENT FOR DISTURBED AREA RUNOFF. THE DISTURBED AREA IS CONSIDERED TO BE THE SPILLAGE CAPTURE MAT AREA UNDER THE MOBILE TRUCK UNLOADERS.
  - REFER TO THE SITE CEMP & O&M (#P502196) FOR FURTHER DETAILS.



**LEGEND**

GEOTEXTILE SPILLAGE CAPTURE MAT	
TYPE 2.1 GRAVEL PAVEMENT (AREA ≈ 2125m <sup>2</sup> )	
INDICATIVE STAGE 1 AREA	
ROCK GABION	
STORMWATER FLOW ARROW	
EXISTING CONTOURS	
DESIGN CONTOURS	



REV	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
H	18/01/24	LAYOUT UPDATED					
D	24/01/24	FOR CONSTRUCTION ISSUE					
C	24/11/23	LAYOUT UPDATED					
D	27/11/23	OPTION #2 LAYOUT					
E	28/11/23	MODIFIED TO SUIT REVERSE IN FOR SILICA SAND LOADING					
F	04/12/23	DETAILS UPDATED					
G	08/12/23	STAGE 1 UNDERLAY ADDED FOR REFERENCE					

FILE NAME	DESCRIPTION	BOOKS

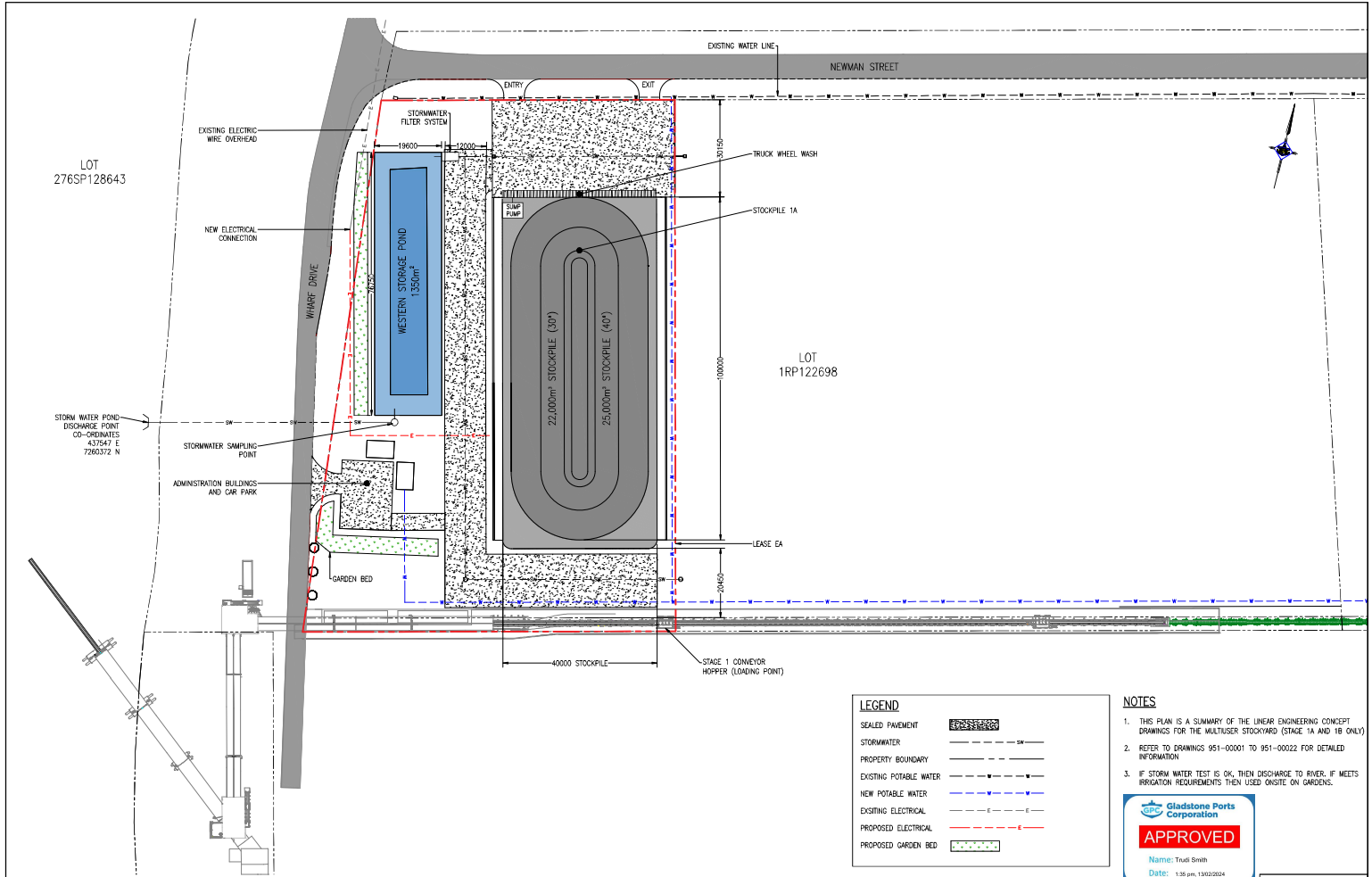
**GLADSTONE PORTS CORPORATION**  
PORT PLANNING AND DEVELOPMENT

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

DRAWN	MAKENEDY	22.11.23
CHECK	P. RASMUSSEN	25.01.24
DESIGN	MAKENEDY	25.01.24
APPROVE	O. BARRON	25.01.24

**BUNDBERG UNLOADING AND STOCKPIILING DRY BULK STORAGE FACILITY (DBSF) TEMPORARY LOADING FACILITY LAYOUT PLAN & DETAILS**

Ext Ref No. 951-00028  
GPC DRAWING No. 951-00028  
A1 Asset/Port No.  
REV. DATE/Issued No. 0



LEGEND	
SEALED PAVEMENT	
STORMWATER	
PROPERTY BOUNDARY	
EXISTING POTABLE WATER	
NEW POTABLE WATER	
EXISTING ELECTRICAL	
PROPOSED ELECTRICAL	
PROPOSED GARDEN BED	

- NOTES**
1. THIS PLAN IS A SUMMARY OF THE LINEAR ENGINEERING CONCEPT DRAWINGS FOR THE MULTUSER STOCKYARD (STAGE 1A AND 1B ONLY).
  2. REFER TO DRAWINGS 951-00001 TO 951-00022 FOR DETAILED INFORMATION.
  3. IF STORM WATER TEST IS OK, THEN DISCHARGE TO RIVER. IF MEETS IRRIGATION REQUIREMENTS THEN USED ONSITE ON GARDENS.



SKETCH

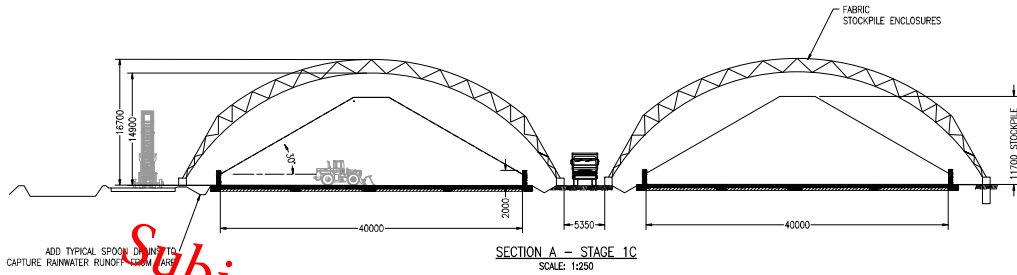
REV	DRN	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
A	T.R.	13.09.23	CONCEPT ONLY					
B	T.R.	18.09.23	CORRECTED NOTES					
C	T.R.	18.09.23	INDICATE WHEEL WASH LOCATION IMPLEMENTED					

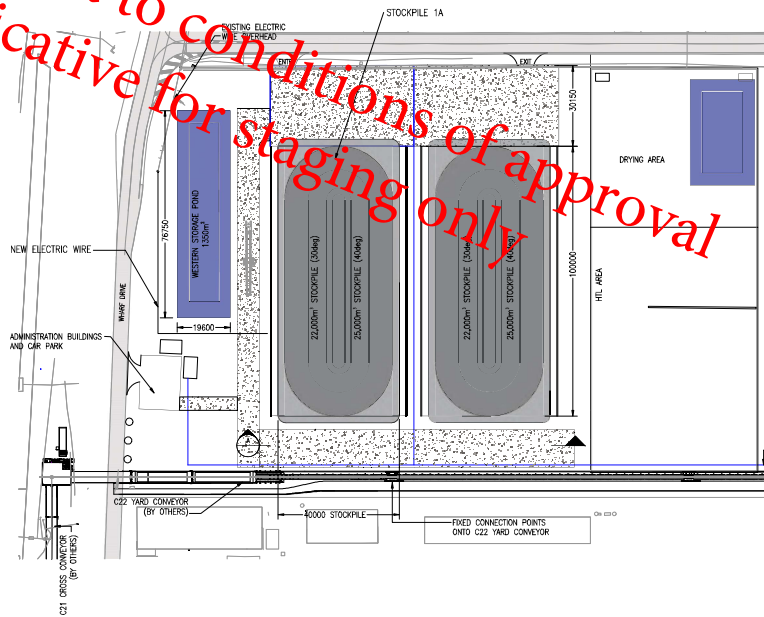
UNLOADED DIMENSIONS SCALE 1:15000 IN METERS AT A1 INFORMATION ONLY, DO NOT SCALE - IF IN DOUBT, ASK.	DRAWING LEVEL: HORIZ-GD2020 BOOKS:	THIS DRAWING REMAINS THE PROPERTY OF THE GLADSTONE PORTS CORPORATION AND MUST NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE GLADSTONE PORTS CORPORATION	<table border="1"> <tr> <td>DRAWN</td> <td>T.R.</td> <td>13.09.23</td> </tr> <tr> <td>CHECK</td> <td></td> <td></td> </tr> <tr> <td>DESIGN</td> <td></td> <td></td> </tr> <tr> <td>APPROVE</td> <td></td> <td></td> </tr> </table>	DRAWN	T.R.	13.09.23	CHECK			DESIGN			APPROVE		
DRAWN	T.R.	13.09.23													
CHECK															
DESIGN															
APPROVE															

<b>BUNDBERG UNLOADING AND STOCKPILING MULTUSER STOCKYARD STAGE 1A AND 1B CONCEPT SITE PLAN</b>		Ext Ref No. GPC DRAWING No. <b>951-00027</b> A1 (Area)/Port No. REV, DATE (Rev)/Resp No. C
------------------------------------------------------------------------------------------------	--	-----------------------------------------------------------------------------------------------------------



Subject to conditions of approval  
Indicative for staging only



PRELIMINARY ONLY

REV	DRN	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
A	N.M.	30.11.21	DRAWN FOR CLIENT REVIEW					

USE SHED COPY INFORMATION ONLY UNLESS ELECTRONIC CAD FILE ACCURACY IS NOT GUARANTEED.  
3RD ANGLE PROJECTION UNLESS OTHERWISE STATED.  
ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE STATED.  
DO NOT SCALE.



© GLADSTONE PORTS CORPORATION			
SCALE AT A1:	1:7500	DRAWN	HANCOCK
DATE:	30.11.21	CHECK	C. COOPER/CSH
DESIGN	T. SWANBOROUGH	RFQD	
APPROVE			

PORT OF BUNDABERG MULTIUSER STOCKYARD STAGE 1C SITE PLAN AND ELEVATIONS		Est Ref No. F08-05-03 SPC DRAWING No. <b>951-00003</b> Name/Post No. A11 REV 1/2/2024
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**Attachment 3 Original Decision Notice**

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13 February 2024

Gladstone Ports Corporation  
 C/- Aurecon  
 Hannah Niland-Rowe  
 Locked Bag 331  
 BRISBANE QLD 4001

Dear Hannah,

**DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2023/01/01**

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

**1. Application Details**

This development application was **properly made** to the Gladstone Ports Corporation Limited on **30 January 2023**.

<b>Application Number:</b>	DA2023/01/01
<b>Applicant Name:</b>	Gladstone Ports Corporation
<b>Applicant Contact Details:</b>	C/- Auercon Hannah Niland-Rowe Locked Bag 331 BRISBANE QLD 4001  Email: <a href="mailto:Hannah.nilandrowe@aurecongroup.com">Hannah.nilandrowe@aurecongroup.com</a>
<b>Approvals Sought (Land Use Plan):</b>	Development Permit for Material Change of Use for Stage 1 for Bulk storage infrastructure and activities and Loading and unloading infrastructure and activities  Temporary Use for Mobile unloading facility (Stage 1A(i))
<b>Approval Sought (Port Overlay):</b>	ERA 50(1)(a) & ERA 50(2) non-devolved environmentally relevant activity (mineral and bulk material handling)
<b>Details of Proposed Development:</b>	Dry Bulk Storage Facilities and temporary mobile unloading facility
<b>Location Street Address:</b>	Cnr Wharf Drive and Newman Street, Burnett Heads
<b>Location Real Property Description:</b>	Part of Lot 1 RP122698

<b>Land Owner:</b>	Gladstone Ports Corporation Limited
<b>Land Use Plan Precinct:</b>	Strategic Port Land – Port Industry Precinct
<b>Port Overlay Precinct:</b>	N/a

## 2. Details of Proposed Development

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### Material Change of Use – Stage 1

1. Bulk storage infrastructure and activities and
2. Loading and unloading infrastructure and activities

### Temporary Development – Stage 1A(i)

1. Temporary mobile unloading facility

## 3. Details of Decision

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This development application was **decided** on **13 February 2024**.

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.

## 4. Details of Approval

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

- (a) Material Change of Use (Stage 1) for Bulk Storage Infrastructure & Activities and Loading and Unloading Facility (*Planning Regulation 2017* - Schedule 10, part 13, division 5, subdivision 1); and
- (b) Temporary Development (Stage 1A(i)) -Temporary mobile unloading facility (*Planning Regulation 2017* - Schedule 10, part 13, division 5, subdivision 1)

## 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

---

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

- (a) Any relevant Building and Plumbing works;
- (b) Any relevant Operational Works; and
- (c) Any relevant works on roads as required by Bundaberg Regional Council.

## 7. Referral Agencies for the Application

The referral agencies for this application are:

Referral Agency	Referral Agency Requirement
Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 BUNDABERG QLD 4670  <a href="mailto:WBBSARA@dsmip.qld.gov.au">WBBSARA@dsmip.qld.gov.au</a>	<i>Planning Regulation 2017</i> – Material Change of Use (MCU)  Schedule 10, part 5, division 4, table 2, item 1 – Non-devolved environmentally relevant activities ERA 50(1)(a) & ERA 50(2)

## 8. Environmental Authority

Environmentally Authority No. P-EA-100388452 for –

- ERA 50 Mineral and bulk material handling – (1)(a) and
- ERA 50 Mineral and bulk material handling – (2)

## 9. Approved Plans and Specifications

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

Drawing/report title	Prepared by	Date	Reference no.	Version
Bundaberg Unloading and Stockpiling Dry Bulk Storage Facility (DBSF) Temporary Loading Facility Layout Plan & Details	Gladstone Ports Corporation Limited	18/01/2024	951-00028	0
Bundaberg Unloading and Stockpiling Multiuser Stockyard Stage 1A and 1B Concept Site Plan	Gladstone Ports Corporation	13/08/2023	951-00027	C

## 12. Currency Period for the Approval

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

- For Material Change of Use this approval lapses if the first change of use does not happen within 6 years after the approval has effect.
- For Temporary Development (temporary mobile unloading facility) lapses within 12 months of the commencement of the use. Further extensions may be requested if required.

## 13. Rights of Appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act*

### Gladstone Ports Corporation Limited

T: +61 7 4976 1333 • Fax: +61 7 4972 3045 • 40 Goondoon St/PO Box 259, Gladstone QLD, 4680, AUSTRALIA • [www.gpcl.com.au](http://www.gpcl.com.au)  
ACN 131 965 896 ABN 96 263 788 242

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 4** 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 via email [planning@gpcl.com.au](mailto:planning@gpcl.com.au).

Yours sincerely,



**Craig Haymes**  
Chief Executive Officer

Cc: WWB SARA  
Bundaberg Regional Council

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

- WBB SARA 19 January 2024

Attachment 2: Approved plans and specifications

Attachment 3: Third Party Advice

- Bundaberg Regional Council dated 18 April 2023

Attachment 4: Extract of appeal provisions

## Attachment 1 Conditions of Approval

### PART 1: ASSESSMENT MANAGER CONDITIONS

In general the development proposal is in compliance with the requirements of Gladstone Ports Corporation Limited (GPC). This development approval is subject to each the following conditions which are stated by GPC, the Assessment Manager.

#### Part 1a: Approval sought under *Planning Act 2016* – Material Change of Use on Strategic Port Land

CONDITIONS
<b>ALL DEVELOPMENT</b>
<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. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of each respective stage of the development.
3. Where additional “approval” is required under these conditions by the Assessment Manager (Gladstone Ports Corporation Limited [GPC]) for drawings or documentation the Applicant must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.  Furthermore, the Assessment Manager will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the works. Should further information be required for assessment, the Assessment Manager will require a further 5 business days to complete the information request assessment and response.
4. 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.
5. Upon completion of the works for each stage, sub-stage and Temporary Development, the Applicant must provide the Assessment Manager with RPEQ certified “As Constructed” plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity.
6. Prior to each of the approved Stages, sub-stages and Temporary Development commencing, the Applicant must certify that the development is constructed as per design and that the development has been constructed generally in accordance with the Approved plans for each stage.
<b>Product</b>
7. Records must be kept for each product and tonnes exported per annum and made available to the Assessment Manager upon request.

## Amended Plans

8. Prior to commencement of the use, the following plans must be resubmitted to the Assessment Manager for approval and must incorporate the approved layout plan for the Temporary Development (mobile unloading facility) use –
  - a. Temporary Load-Out Facility Erosion and Sediment Control Plan'
  - b. The Common User Infrastructure Storage Facility – Temporary Loading Facility Construction Environmental Management Plan and
  - c. The Common User Infrastructure Storage Facility – Temporary Loading Facility Operational Environmental Management Plan.
9. In conjunction with the submission of any Operational Works application or Building work application for Stage 1A, or prior to the commencement of the use for Stage 1A, whichever occurs first, submit to and have approved by the Assessment Manager drawings/plans and/or documents as follows:
  - a. Overall staging plan that encompasses Stage 1A, 1B and 1C;
  - b. Site plans and/or elevations for the Stage 1A start-up that gives consideration to the following –
    - i. Minimum 6m building setback from any road frontage;
    - ii. Stormwater management system;
    - iii. Location of wheel wash and capture system;
    - iv. Roadways and aprons and
    - v. Proposed landscaping and fencing.
  - c. Site plans and/or elevations for the Stage 1B permanent covering for Stockpile 1 that gives consideration to the following –
    - i. Elevations for the permanent cover for Stockpile 1;
    - ii. Modifications to the stormwater and drainage system.
  - d. Site plans and/or elevations for the Stage 1C duplication of stockpile 1 and site office that gives consideration to the following –
    - i. Minimum 6m building setback from any road frontage;
    - ii. Details of materials and external finishes and colouring for site office;
    - iii. Landscaping and fencing;
    - iv. Pedestrian path of travel that ensures safe access/egress to the site;
    - v. Building entry to be oriented towards the primary road frontage;
    - vi. Any proposed signage (dimensions and location);
    - vii. Location of waste bins including swept path plans for waste collection vehicle;
    - viii. Vehicle parking, manoeuvring and access for administration staff and visitor car parking that complies with the standards for access manoeuvring, circulation and parking areas in accordance with GPC's

<p>Transport, Access and Car Parking Guideline, including Table 1 Vehicle Parking Rates; and</p> <p>ix. Stormwater management system.</p>
<p>10. In conjunction with the submission of any Operational Works application or Building work application for Stage 1A, provide site plans highlighting proposed internal pavement surfacing treatments for each stage and sub-stages of the development.</p>
<p>11. Prepare and submit to the Assessment Manager for approval as part of Stage 1A development and prior to the commencement of the use, a Landscape Plan for the full development. The plan must be prepared in accordance with the Port of Bundaberg Land Use Plan 2020 – Landscaping Guideline, and the conditions of this approval. The plan is to include, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>a. Minimum 2m wide landscaping strip along the front boundary (Wharf Drive and Newman Street) excluding access/egress points;</li> <li>b. Provision of mature trees and/or species to a minimum 3m height to the Newman Street frontage of the site;</li> <li>c. Details of any proposed irrigation systems; and</li> <li>d. Provision of shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces.</li> </ul>
<p>12. Landscaping is to be carried out and maintained in accordance with approved plans. The Applicant must maintain the property frontage in a clean and tidy manner at all times, including during the operation of the temporary development.</p>
<p><b>Staging</b></p>
<p>13. Prior to works commencing for each relevant stage or sub-stage, the proponent must supply to the Assessment Manager for approval 100% design ‘for construction’ plans, (signed by an RPEQ Engineer) in electronic CAD format which illustrate all infrastructure and services installed on, under or over Port land associated with the development.</p>
<p>14. The proposed Staged development is to be undertaken in sequential order i.e. Stage 1A(i), Stage 1A, Stage 1B, and Stage 1C.</p>
<p>15. Prior to the commencement of use of Stage 1A, install a wheel wash facility at the access/egress to the material storage area/s of the site. The wheel wash facility must be connected to suitable infrastructure and services.</p>
<p>16. Prior to the commencement of Stage 1A(i), the street address and appropriate signage is to be provided to the primary frontage of the site (Wharf Drive). Signage to the Newman Street access is to be amended at Stage 1C to ensure the general public does not enter the site from Newman Street.</p>
<p>17. In conjunction with Stage 1C, install and maintain suitable screening to all air conditioning, waste service facilities or equipment located on an external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the building façade or as an architectural feature of and visually consistent with the profile of the building.</p>

18. For each stage of development, install and maintain security fencing along external boundaries of the premises as indicated on approved plans. Fencing must be constructed of 1.8m high transparent black PVC plastic coated chain wire mesh with black posts, unless otherwise approved by the Assessment Manager. The provision of mesh cloth screening to the security fence may be provided as an alternative for the Temporary Development activity.

### **Construction**

19. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) is to be restricted to between 6.30am and 6:30pm Monday to Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager

20. Unless otherwise agreed to in writing by the Assessment Manager, prior to construction works commencing on site for any stage, including the Temporary Development, a Construction Traffic Management Plan (CTMP) specific to the construction works being undertaken must be submitted to the Assessment Manager for approval.

The CTMP must be amended and approved by the Assessment Manager as necessary for any proposed or amended construction works. All activities associated with construction must be carried out in accordance with the approved CTMP

21. Upon completion of the construction works for any stage, including the Temporary Development, the Applicant must reinstate the property to the same condition prior to the works being undertaken unless agreed to in writing by the Assessment Manager.

22. In the event works are required to be carried out outside the lease area, the Applicant or their contractor must obtain a Consent to Enter from GPC's Property team prior to works commencing via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au).

23. The construction compound, including offices, laydown areas and employee car parking, is to be contained within the nominated area unless otherwise approved in writing by the Assessment Manager.

In the event a construction compound is required on port land outside the project lease area for offices, laydown areas, employee car parking or stockpiling areas etc., the Applicant or their contractor must also obtain a Consent to Enter from the GPC's Property team via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.

24. At all times, no product, materials, minerals, mud, dirt or other debris is to be tracked onto port roads and / or public roads during construction and operation of all stages development.

25. Construction fill material must be uncontaminated and reused from onsite or sourced from a licensed quarry unless otherwise approved by the Assessment Manager.

26. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a

<p>validated complaint received, the Applicant must immediately rectify to the satisfaction of the Assessment Manager.</p>
<p>27. Lighting must be designed to facilitate a safe and secure parking area, lit to a standard appropriate for safe night time operations.</p>
<p>28. Prior to each stage and sub-stage of the use commencing, the Applicant 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 for review.</p>
<p>29. The Applicant is required to apply for and obtain from the Assessment Manager, a Permit to Dig/Excavate prior to commencing works by contacting GPC's Port Infrastructure Asset Manager on (07) 4976 1333. All reasonable measures must be taken to identify and protect existing services recorded or otherwise, and where necessary the Applicant must submit a plan to the Assessment Manager for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans.</p>
<p><b>Traffic</b></p>
<p>30. Prior to the commencement of the use for Stage 1A, the Applicant must provide a sealed pavement for the access and egress driveway approved by the Bundaberg Regional Council.</p>
<p>31. An Operational Traffic Management Plan (OTMP) must be provided to the Assessment Manager for approval at least 10 business days prior to the commencement of each stage, sub-stage and Temporary Development. All activities associated with the operation must be carried out in accordance with the approved OTMP.</p> <p>The Operational Traffic Management Plan is to include the following but not limited to -</p> <ol style="list-style-type: none"> <li>a. Type of controls that are in place to ensure truck queuing does not occur or result in blocking the ability for traffic to flow freely along Newman Street or Wharf Drive;</li> <li>b. Details of proposed traffic controls (i.e. advanced signage "road closed ahead" etc). Note: Any signage placed on publicly accessible roads must comply with the Austroad's Guide to Temporary Traffic Management (AGTTM). And where applicable, the amendments referenced in the Queensland guide to Temporary Traffic management (QGTTM).</li> </ol>
<p>32. The OTMP is to be prepared by a suitably qualified Traffic Management Designer in accordance with the requirements of the AGTTM where condition 31. b. applies.</p>
<p>33. Any works occurring on or adjacent to publicly accessible roadways shall be undertaken in compliance with the Austroad's Guide to Temporary Traffic Management (AGTTM) and where applicable, the amendments referenced in the Queensland Guide to Temporary Traffic Management (QGTTM). These documents can be accessed via Austroads, and the Department of Transport &amp; Main Roads Qld <a href="https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Queensland-Guide-to-Temporary-Traffic-Management">https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Queensland-Guide-to-Temporary-Traffic-Management</a></p>
<p><b>ENVIRONMENT</b></p>

### Construction Environmental Management Plan

34. Prior to the commencement of construction for any stage or temporary development, an Construction Environmental Management Plan (CEMP) is to be submitted to the Assessment Manager for approval, specific to the development that ensures:

- a. environmental risks are identified, managed and continually assessed; and
- b. that staff are trained, aware and competency assessed of their obligations under the CEMP, including a copy of the management plan and development approval available on site at all times; and
- c. that reviews of environmental performance are undertaken at least annually; and
- d. any amendments to the CEMP are to be submitted to the Gladstone Ports Corporation for review and approval; and
- e. any rehabilitation and decommissioning works occur where required.

Once approved the construction of the approved development must be carried out in accordance with this CEMP.

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

35. Prior to work commencing on the site, for any stage of development or the temporary development, the CEMP is to be updated and submitted to the Assessment Manager for approval, to include the following amendments –

- a. Section 1.5 – Gladstone Ports Corporation Limited Contact – Environmental Specialist Ph 4976 1255, to be replaced with Gladstone Ports Corporation Environmental Hotline (07) 4676 1617.
- b. Section 2.8 – Emergency preparedness and response – Please include the requirements of DA condition with regards to notification of GPC
- c. Section 3 - Table 6 - Contaminated Land – Earthworks – Disturbance of PFAS Contamination – specifics as to how any intercepted groundwater is proposed to be managed. If specific detail is not proposed to be included, then a more detailed management strategy is to be provided.

36. The CEMP must address the management of land with regard to the Environmental Management Register (EMR) as Lot 1 RP122698 is listed for Notifiable Activity 29 (petroleum product or oil storage). Removal of any fill from the lot will be required to done so in accordance with the *Environmental Protection Act 1994* (Qld).

### Operational Environmental Management Plan

37. Prior to the commencement of each Stage, sub stage and temporary development, an Operational Environmental Management Plan (EMP) is to be submitted to the Assessment Manager for approval, specific to the operations aspect of the development that ensures:

- a. environmental risks are identified, managed and continually assessed; and

- 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; and
- 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; and
- e. any rehabilitation and decommissioning works occur where required and
- f. any relevant air quality objectives for dust or airborne contaminants are achieved.

Once approved by the Assessment Manager, the approved development must be carried out in accordance with this EMP.

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

### **Acid Sulphate Soils**

38. In the event acid sulphate soils are disturbed/excavated and require treatment on site, a site specific Acid Sulphate Management plan must be submitted to the Assessment Manager for approval prior to such works commencing. Once the management plan is approved, the works must be carried out in accordance with this plan.

### **Sediment control**

39. A Sediment and Erosion Control Plan in accordance with the Environmental Protection Agency's (EPA – guideline – *EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control* and *International Erosion control Association's (IECA) – Best Practice Erosion and Sediment control*, and the *Queensland Urban Drainage manual (QUDM)* is to be prepared by a suitably qualified expert for each sub-stages of the proposed construction works to ensure landscaping and bio-retention areas are suitable protected from sediment inundation.

40. The design of the site drainage system, filling of the site, car parking and accesses must be undertaken so that flows from adjacent properties will not be impeded by the development.

41. Uncontrolled discharges of contaminated washdown water or contaminated stormwater to the adjoining premises or road network, including Wharf Drive, are not permitted.

42. Prior to works commencing for the relevant stage, a lawful point/s of discharge, demonstrating no actionable nuisance, must be established within Lot 276 on SP128643, for all stormwater overflow, exclusive of contaminants.

43. Prior to the commencement of each Stage and Sub stage, a Stormwater Management Plan is to be submitted to the Assessment Manager for approval, specific to the development.

At all times, all construction and operational activities must be managed in accordance with the approved Stormwater Management Plan and any stormwater management

strategies in relation to the management of groundwater with regard to per-and poly-fluoroalkyl substances (PFAS) are to be included within the Environmental Management Plan (OEMP and CEMP).

PFAS contaminated water (surface or groundwater) is to be managed in accordance with the *Environmental Protection Act 1994* (Qld), and its supporting regulations and policies, unless a separate management plan has been developed in consultation with and agreed to by the Department of Environment, Science and Innovation, and the Assessment Manager.

The Stormwater Management Plan must demonstrate that no nuisance run-off will be generated, including sediments, hydrocarbons or other contaminants.

44. Prior to disposal of groundwater (on or offsite), a copy of the sampling and analysis report for any groundwater testing must be provided to the Assessment Manager for review and approval.

### Incident Notification

45. Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:

- a. release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land;
- b. release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
- c. any environmental complaints received by the holder of this approval; and
- d. non-compliance with conditions of this approval or any other environmental approval obtained in relation to the development.

46. The stockpile area is to be bunded to prevent contaminants being released into the environment or beyond the site boundary. Details of containment of stockpiles shall be included in the "For Construction" and "As Constructed" drawings approved as part of any Operational Works or Building Works applications for any stage.

### Ground water

47. Unless otherwise approved in writing by the Queensland Government Department of Environment and Science (DES), or subsequent equivalent State agency administering the relevant legislation, any groundwater intercepted during construction activities is deemed to be a regulated waste contaminated with PFAS and must be managed and disposed of in accordance with the *Environmental Protection Act 1994* (Qld) and its regulations and policies, unless the proponent has undertaken sampling and testing of the groundwater that has determined per-and poly-fluoroalkyl substances (PFAS) levels are below the regulated waste threshold in the *Environmental Protection Regulation 2019* (Qld).

Any written approval received from the Department of Environment and Science (DES), or subsequent equivalent State agency, must be submitted to the Assessment Manager and be approved by the Assessment Manager in writing

### INFRASTRUCTURE

48. The applicant must notify the Assessment Manager of damage caused to any port infrastructure, port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting, roads, underground services or infrastructure as a result of the approved use or during construction. The applicant may undertake the repairs directly in consultation with the Assessment Manager or Bundaberg Regional Council where Council's infrastructure, however, depending upon the nature and location of the damage, the Assessment Manager retains the right to undertake the repairs at the expense of the Applicant.

49. Prior to the commencement of Stage 1A, provision of a new water connection to Gladstone Ports Corporation, and/or Bundaberg Regional Council existing water infrastructure is to be installed by the Applicant with the cost borne by the applicant.

Prior to connection, the Applicant is to provide a Network Analysis Report to Bundaberg Regional Council demonstrating that the proposed service provides compliant pressures and capacity to satisfy the demands of the development.

*Note: For further information contact Council's Water Services Department on 1300 883 699.*

50. An appropriate fire service must be established and maintained to the satisfaction of the relevant authority.

51. An adequate connection to Bundaberg Regional Council's sewer infrastructure must be established prior to Stage 1C use commencing.

*Note: For further information about these requirements, contact Bundaberg Regional Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.*

## **WASTE MANAGEMENT**

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

53. At all times, 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.

## **Contamination**

54. At all times, construction, operations and associated works are not to be conducted in such a manner that would environmentally degrade Gladstone Ports Corporation land or infrastructure. This includes but is not limited to:

- a. Contamination of the land
- b. Encouragement of pest and weed incursion
- c. Loss of land through poor sediment and erosion controls; and
- d. Localised flooding from poor stormwater management practices/controls.

Any such degradation in or caused by the works or operations must be rectified in a timely manner to the satisfaction of the Assessment Manager and measures implemented to prevent further degradation.

### TEMPORARY DEVELOPMENT (Mobile unloading facility)

55. The temporary development (mobile unloading facility) Stage 1A(i) is approved for 12 months from commencement of its use.

*Note: Further extensions to the temporary development may be sought, prior to the expiry of the granted 12 month period.*

56. Prior to the commencement of Stage 1A(i), install and maintain security fencing along the external boundaries of the premises. Fencing should be constructed of 1.8m high chain wire mesh with galvanised posts (or similar), unless otherwise approved by the Assessment Manager. The provision of mesh cloth screening is to be attached to the security fence for the boundary of the site as an alternative to the provision of landscaping.

### ADVICE NOTES – WHEN RELEVANT

1. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing and drainage works.
2. Where a Permit to Dig/Excavate prior to commencing excavation or digging for the development, the Applicant or their contractor is required to apply for and obtain the permit by contacting the Port Infrastructure Asset Manager on 4976 1332 or [bartono@gpcl.com.au](mailto:bartono@gpcl.com.au).
3. Where a construction compound or laydown area is required, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from the Assessment Manager's Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
4. Where works are to be undertaken outside tenured areas, the Applicant or their contractor is required to apply for and obtain a Consent to Enter from GPC's Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
5. 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.
6. 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.
7. 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.
8. This decision notice does not represent an approval to commence Building work.
9. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
10. 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.

11. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: [pfso@gpcl.com.au](mailto:pfso@gpcl.com.au), [contracted\\_security@gpcl.com.au](mailto:contracted_security@gpcl.com.au) and [gpcsupervisor@diamondprotection.com](mailto:gpcsupervisor@diamondprotection.com).

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

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



SARA reference: 2302-33137 SRA  
 Assessment manager reference: DA2023/01/01  
 Applicant reference: P520196

19 January 2024

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

Attention: Ms Trudi Smith

Dear Ms Smith

## SARA referral agency response—Wharf Drive, Burnett Heads

(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 13 February 2023.

### Response

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Outcome:	Referral agency response – No requirements.  Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	19 January 2024
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development details

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Description:	Development Permit	Material Change of Use for Bulk Storage Infrastructure and Activities (multi-product facility), Loading and Unloading Infrastructure and Activities and Temporary Unloading Facility
	Development Permit	Environmentally Relevant Activity (ERA) 50(1)(a) and ERA 50(2)
SARA role:	Referral Agency	

SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (10.5.4.2.1) – Non-devolved environmentally relevant activities (Planning Regulation 2017)
SARA reference:	2302-33137 SRA
Assessment manager:	Gladstone Ports Corporation Limited
Street address:	Wharf Drive, Burnett Heads
Real property description:	Lot 1 on RP122698
Applicant name:	Gladstone Ports Corporation C/- Aurecon
Applicant contact details:	PO Box 1060 MACKAY QLD 4740 planning.mackay@aurecongroup.com
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> <li>• Approved</li> <li>• Reference: P-EA-100388452</li> <li>• Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i></li> <li>• Prescribed environmentally relevant activity (ERA): <ul style="list-style-type: none"> <li>- ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse</li> <li>- ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials.</li> </ul> </li> </ul> <p>If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a>.</p>
<i>Human Rights Act 2019</i> considerations:	A consideration of the 23 fundamental human rights protected under the <i>Human Right Act 2019</i> 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 3**.

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

For further information please contact Jackie Larrarte, Senior Planning Officer, on 07 4122 0407 or via email [WBBSARA@dsdilgp.qld.gov.au](mailto:WBBSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning – Wide Bay Burnett

cc Gladstone Ports Corporation C/- Aurecon, [planning.mackay@arecongroup.com](mailto:planning.mackay@arecongroup.com)

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

## Attachment 1—Advice to the applicant

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<b>General advice</b>	
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 3.0). If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for referral agency response

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

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

The development complies with State code 22: Environmentally relevant activities of SDAP. Specifically, the environmentally relevant activities:

- are located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
- are designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated
- do 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 3.0, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*.

## **Attachment 3— Representations about a referral agency response provisions**

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# 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

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### 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.

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<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>

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<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.

# Permit

## Environmental Protection Act 1994

### Environmental authority P-EA-100388452

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

#### Environmental authority number: P-EA-100388452

**Environmental authority takes effect on the date** that your related development approval DA202/01/01 takes effect. This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

#### Environmental authority holder

Name	Registered address
GLADSTONE PORTS CORPORATION LIMITED	Kullaroo House 40 Goondoon Street GLADSTONE DC QLD 4680

#### Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse	1/RP122698 Lot 1 Wharf Drive, BURNETT HEADS QLD 4670
ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	

**Additional information for applicants**Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website [www.qld.gov.au](http://www.qld.gov.au), using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise - on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature

19/01/2023

Date

Rebecca Griffiths  
Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
Utilities and Government Organisations Assessment  
GPO Box 2454, Brisbane QLD 4001  
Phone: 1300 130 372  
Email: [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au)

### **Obligations under the *Environmental Protection Act 1994***

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

### **Other permits required**

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

### **Development Approval**

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

**Conditions of environmental authority**

Environmentally relevant activities	Location
<p>ERA 50 - Mineral and bulk material handling - 1(a) - Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals - within 5km of the highest astronomical tide or 1km of a watercourse</p> <p>ERA 50 - Mineral and bulk material handling - 2 - Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials</p>	<p>1/RP122698 Lot 1 Wharf Drive, BURNETT HEADS QLD 4670</p>

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site-specific conditions of the approval.

Ref	Condition
<b>Schedule: General</b>	
<b>G1</b>	<p><b>Activities</b> under this environmental authority must be undertaken in accordance with <i>Appendix 1: Site Layout</i>. The only exception to this is the <b>temporary activity</b> which must be undertaken in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Operated in accordance with <i>Appendix 2: Temporary Activity</i>, and</li> <li>2. The <b>temporary activity</b> must not be operated for more than <b>28 days</b> per calendar year; and</li> <li>3. The <b>temporary activity</b> must only be operated for a maximum of two calendar years from the take effect date.</li> </ol>
<b>G2</b>	<p><b>Activities</b> under this environmental authority must be undertaken in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. The <b>activity</b> must not accept Silica Sand that has a respirable crystalline silica content of 10% or higher; and</li> <li>2. The amount of bulk materials and minerals handled under this environmental authority must not exceed 475,000 tonnes per year; and</li> <li>3. <b>Records</b> must be kept of the daily quantity of material or minerals handled; and</li> <li>4. The commodities that are authorised to be stored and handled under this environmental authority are:               <ol style="list-style-type: none"> <li>(a) Silica sand; and</li> <li>(b) Kaolin; and</li> <li>(c) Feldspar; and</li> <li>(d) Ilmenite; and</li> <li>(e) Organic Soils; and</li> <li>(f) Wood pellets and chips; and</li> </ol> </li> </ol>

Ref	Condition
	<ul style="list-style-type: none"> <li>(g) Feed Grains; and</li> <li>(h) Sorghum; and</li> <li>(i) Maize; and</li> <li>(j) Corn.</li> </ul>
<b>G3</b>	All reasonable and practicable <b>measures</b> must be taken to prevent or minimise <b>environmental harm</b> caused, or likely to be caused, by the <b>activity</b> .
<b>G4</b>	Any contravention of a condition of this environmental authority must be reported to the <b>administering authority</b> as soon as practicable and within 24 hours of becoming aware of the contravention.
<b>G5</b>	<p>Within 14 <b>days</b> of providing the notification under condition G4, or a longer period agreed to in writing by the <b>administering authority</b>, an investigation must be completed into any contravention of a condition of the environmental authority to determine:</p> <ul style="list-style-type: none"> <li>a) the potential circumstances and actions that may have contributed to the contravention; and</li> <li>b) the environmental impact of the contravention; and</li> <li>c) reasonable <b>measures</b> that could be implemented to address the cause of the contravention to prevent future contraventions of this nature.</li> </ul>
<b>G6</b>	<p><b>Measures</b> identified under condition G5 must be implemented within:</p> <ul style="list-style-type: none"> <li>a) 28 <b>days</b> of the investigation required by condition G5 being completed; or</li> <li>b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G7</b>	<p>The following details must be recorded for all contraventions of conditions within the environmental authority:</p> <ul style="list-style-type: none"> <li>(a) date and time the contravention occurred; and</li> <li>(b) nature and details of the contravention; and</li> <li>(c) investigations carried out in response to the contravention as required by condition G5; and</li> <li>(d) the results of investigations; and</li> <li>(e) <b>measures</b> implemented under condition G5.</li> </ul>
<b>G8</b>	Other than as permitted by this environmental authority, the <b>release of a contaminant into the environment</b> must not occur.
<b>G9</b>	All <b>records</b> required by the conditions of this environmental authority must be kept for a minimum of five years, and all <b>monitoring results</b> and <b>raw data</b> must be kept until surrender of this environmental authority.

Ref	Condition
<b>G10</b>	<p>All <b>records</b> required by the conditions of this environmental authority must be provided to the <b>administering authority</b>:</p> <ul style="list-style-type: none"> <li>a) within the timeframe specified by the <b>administering authority</b>; and</li> <li>b) in the format requested by the <b>administering authority</b>.</li> </ul>
<b>G11</b>	<p>An <b>appropriately qualified person(s)</b> must <b>monitor</b>, record and interpret all parameters that are required to be monitored by this environmental authority.</p>
<b>G12</b>	<p>The following details must be recorded for all <b>environmental complaints</b> received:</p> <ul style="list-style-type: none"> <li>(a) date and time the complaint was received; and</li> <li>(b) if authorised by the person making the complaint, their name and contact details; and</li> <li>(c) nature and details of the complaint; and</li> <li>(d) investigations carried out in response to the complaint as required by condition G13; and</li> <li>(e) the results of investigations; and</li> <li>(f) <b>measures</b> implemented under condition G14.</li> </ul>
<b>G13</b>	<p>An investigation must be undertaken within <b>28 days</b> (or a longer period agreed to in writing by the <b>administering authority</b>) into all <b>environmental complaints</b> received to determine:</p> <ul style="list-style-type: none"> <li>(a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and</li> <li>(b) reasonable <b>measures</b> that could be implemented to address the complaint.</li> </ul>
<b>G14</b>	<p><b>Measures</b> identified under condition G13 must be implemented within:</p> <ul style="list-style-type: none"> <li>(a) <b>28 days</b> of the investigation required by condition G13 being completed; or</li> <li>(b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G15</b>	<p>When requested by the <b>administering authority</b>, <b>monitoring</b> must be undertaken in the manner and within the timeframe prescribed by the <b>administering authority</b>, to investigate any alleged <b>environmental harm</b> caused by the <b>activity</b>.</p>
<b>G16</b>	<p>The results, including an analysis of the results, of <b>monitoring</b> required by condition G15 must be provided to the <b>administering authority</b>:</p> <ul style="list-style-type: none"> <li>(a) within <b>10 days</b> after receipt of <b>monitoring results</b>; or</li> <li>(b) a longer period agreed to in writing by the <b>administering authority</b>.</li> </ul>
<b>G17</b>	<p>Written procedures must be developed which:</p> <ul style="list-style-type: none"> <li>(a) identify all potential risks to the environment from the <b>activity</b>, including:</li> </ul>

Ref	Condition
	<ul style="list-style-type: none"> <li>(i) during routine operations; and</li> <li>(ii) outside routine operations; and</li> <li>(iii) during closure; and</li> <li>(iv) in an emergency; and</li> </ul> <p>(b) identify <b>measures</b> to prevent or minimise the potential for <b>environmental harm</b> for each of the potential risks identified; and</p> <p>(c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and</p> <p>(d) establish a staff training program on obligations under this environmental authority and the <i>Environmental Protection Act 1994</i> to be conducted as part of staff inductions and at least annually thereafter; and</p> <p>(e) establish processes to review environmental risks, incidents, performance, and <b>environmental complaints</b>.</p>
<b>G18</b>	<p>Written procedures required by condition G17 must be:</p> <ul style="list-style-type: none"> <li>(a) implemented; and</li> <li>(b) reviewed at least every two years; and</li> <li>(c) provided to the <b>administering authority</b> upon request and within a timeframe specified by the <b>administering authority</b>.</li> </ul>
<b>G19</b>	<p>Plant and equipment necessary to comply with the conditions of this environmental authority must be installed, operated, calibrated and maintained:</p> <ul style="list-style-type: none"> <li>(a) in a proper and effective manner; and</li> <li>(b) in accordance with the written procedures developed under condition G17 for the plant and equipment.</li> </ul>
<b>G20</b>	<p>Chemicals and fuels in containers of greater than 15 litres must be stored within a <b>secondary containment system</b>.</p>
<b>Schedule: Air</b>	
<b>A1</b>	<p>Other than as approved in this environmental authority, odours or airborne contaminants from the <b>activity</b> must not cause <b>environmental harm</b> or <b>environmental nuisance</b> at any <b>sensitive place</b> or <b>commercial place</b>.</p>
<b>A2</b>	<p>Dust and particulate matter emissions from the <b>activity</b> must not exceed the following concentrations at any <b>sensitive place</b> or <b>commercial place</b>:</p> <ul style="list-style-type: none"> <li>a) dust deposition of 120 milligrams per square metre per <b>day</b>, averaged over 30 <b>days</b>, when monitored in accordance with the latest edition of Australian Standard AS/NZS 3580.10.1 <i>Methods for sampling and analysis of ambient air, Method 10.1</i>:</li> </ul>

Ref	Condition																																																
	<p><i>Determination of particulate matter – Deposited matter – Gravimetric method; or</i></p> <p>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (<math>\mu\text{m}</math>) (<math>\text{PM}_{10}</math>) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance with the latest edition of the relevant Australian Standards.</p>																																																
<b>A3</b>	When requested by the <b>administering authority</b> , dust, particulate matter and/or odour <b>monitoring</b> and investigation must be undertaken by an <b>appropriately qualified person(s)</b> to investigate a complaint of <b>environmental nuisance</b> caused by dust, particulate matter and/or odour.																																																
<b>Schedule: Land</b>																																																	
<b>L1</b>	Contaminants from the <b>activity</b> must not be released to <b>land</b> .																																																
<b>L2</b>	Any spillage of wastes, contaminants, products or other materials must be cleaned up immediately. Such spillages must be cleaned up using methods that prevent the release of waste, contaminants, products or other materials to air and <b>waters</b> .																																																
<b>Schedule: Waste</b>																																																	
<b>W1</b>	All waste generated by the <b>activity</b> must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.																																																
<b>Schedule: Noise</b>																																																	
<b>N1</b>	Other than as approved in this environmental authority, noise generated by this <b>activity</b> must not cause <b>environmental harm</b> or <b>environmental nuisance</b> at any <b>sensitive place</b> or <b>commercial place</b> .																																																
<b>N2</b>	<p>Noise from the <b>activity</b> must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table 3 – Noise limits</i> at any <b>sensitive place</b> or <b>commercial place</b>.</p> <p><b>Table 3 – Noise limits</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Noise level measured in dB(A)</th> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sunday and Public Holidays</th> </tr> <tr> <th>7am–6pm</th> <th>6pm–10pm</th> <th>10pm–7am</th> <th>9am–6pm</th> <th>6pm–10pm</th> <th>10pm–9am</th> </tr> </thead> <tbody> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a sensitive place</b></td> </tr> <tr> <td><b>L<sub>Aeq</sub> adj, 1 hr</b></td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> <td>40</td> </tr> <tr> <td><b>L<sub>Amax</sub>, 1 hr</b></td> <td>not applicable</td> <td>not applicable</td> <td>49</td> <td>not applicable</td> <td>not applicable</td> <td>49</td> </tr> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a commercial place</b></td> </tr> <tr> <td><b>L<sub>Aeq</sub> adj, 1 hr</b></td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> <td>50</td> </tr> </tbody> </table>	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am–6pm	6pm–10pm	10pm–7am	9am–6pm	6pm–10pm	10pm–9am	<b>Noise measured at a sensitive place</b>							<b>L<sub>Aeq</sub> adj, 1 hr</b>	40	40	40	40	40	40	<b>L<sub>Amax</sub>, 1 hr</b>	not applicable	not applicable	49	not applicable	not applicable	49	<b>Noise measured at a commercial place</b>							<b>L<sub>Aeq</sub> adj, 1 hr</b>	50	50	50	50	50	50
Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays																																													
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Ref	Condition
	<p><b>Associated Requirements</b></p> <ol style="list-style-type: none"> <li>1. All <b>monitoring</b> devices must be correctly calibrated and maintained.</li> <li>2. All <b>monitoring</b> of noise emissions from the <b>activity</b> must be undertaken when the <b>activity</b> is in operation.</li> <li>3. All <b>monitoring</b> of noise emissions from the <b>activity</b> must be undertaken in accordance with the latest edition of the <i>Noise measurement manual</i> (available on the Queensland government website), the relevant Australian Standard and the <i>Environmental Protection Regulation 2019</i> (Chapter 5, Part 4).</li> </ol>
N3	<p>The following must be recorded when undertaking <b>monitoring</b> of noise emissions from the <b>activity</b>:</p> <ol style="list-style-type: none"> <li>a) All equipment in operation at the time of the noise measurement; and</li> <li>b) The <b>mode of operation</b> of all active equipment at the time of the noise measurement.</li> </ol> <p><i>Note: results and <b>monitoring</b> reports are <b>records</b> that must be kept in accordance with condition G8.</i></p>
N4	<p>When requested by the <b>administering authority</b>, noise <b>monitoring</b> must be undertaken by <b>appropriately qualified person(s)</b> in the manner prescribed by the <b>administering authority</b>, to investigate a complaint of <b>environmental nuisance</b> arising from the <b>activity</b>. The noise <b>monitoring</b> data must be provided within 10 days to the <b>administering authority</b> upon request.</p>
<b>Schedule: Water</b>	
WT1	Contaminants must not be released to <b>waters</b> .
WT2	<p>Stormwater runoff must be managed to:</p> <ol style="list-style-type: none"> <li>a) prevent stormwater from entering <b>disturbed areas</b>; or</li> <li>b) direct stormwater that has entered <b>disturbed areas</b> or a <b>first flush diversion system</b>, to <b>stormwater treatment and retention measures</b>.</li> </ol>
WT3	<p>Stormwater contained within <b>stormwater treatment and retention measures</b>, may only be released to surface <b>waters</b> where:</p> <ol style="list-style-type: none"> <li>a) beneficial reuse of contained stormwater runoff on site is not viable; and</li> <li>b) <b>first flush diversion systems</b> are installed, operated and maintained in a proper and effective manner; and</li> <li>c) the release is necessary to prevent an exceedance of the stormwater retention capacity required by condition WT6; and</li> <li>d) the release complies with conditions WT4 and WT5.</li> </ol>
WT4	Releases of contained stormwater in accordance with condition WT3 must not:

Ref	Condition
	<ul style="list-style-type: none"> <li>a) produce any slick or other visible evidence of oil or grease; and/or</li> <li>b) contain visible floating oil, grease, scum, litter, or other visually objectionable matter; and/or</li> <li>c) contain any other properties at a concentration capable of causing <b>environmental harm</b>.</li> </ul>
<b>WT5</b>	Releases of contained stormwater in accordance with condition WT3 must not cause: <ul style="list-style-type: none"> <li>a) erosion of the bed and banks of the receiving <b>waters</b>; and/or</li> <li>b) disturbance to vegetation; and/or</li> <li>c) a build-up of sediment.</li> </ul>
<b>WT6</b>	<b>Stormwater treatment and retention measures</b> must have capacity to retain stormwater runoff from <b>disturbed areas</b> generated by a rainfall event up to and including a <b>24-hour rainfall event with an Annual Exceedance Probability (AEP) of 10%</b> .

## Definitions

Where a word or phrase in this document is defined in this Schedule or within the document, it has its corresponding meaning. Where a word or phrase in this document is not defined in this Schedule, it has the meaning given to it in (in order of priority):

- the *Environmental Protection Act 1994* (EP Act), its regulations or its environmental protection policies;
- the *Acts Interpretation Act 1954*;
- the Macquarie Dictionary (taking account of the context in which the word or phrase is used in this document).

For example, environmental value, **environmental harm**, **environmental nuisance**, material environmental harm, serious environmental harm and relevant act are defined in the EP Act and groundwater is defined in the *Environmental Protection Regulation 2019*.

Defined words or phrases in the singular include the plural and vice versa.

**24-hour rainfall event with an Annual Exceedance Probability of 10%** means the maximum Design Rainfall Depth (mm) from a 24-hour duration precipitation event with an annual exceedance probability of 10%.

The Design Rainfall Depth (mm) for an AEP probability of 10% over a 24-hour duration can be calculated for your location using the Intensity–Frequency–Duration (IFD) Design Rainfall Data System on the Bureau of Meteorology website.

**Activity** means the environmentally relevant activities to which this environmental authority relates and, unless otherwise stated, includes both the **activity** as shown in *Appendix 1: Site Layout* and the **temporary activity** as shown in *Appendix 2: Temporary Activity*.

**Administering authority** means the Chief Executive administering the *Environmental Protection Act 1994*.

**Appropriately qualified person(s)** means a person (or persons) who has professional qualifications, training, skills or experience relevant to the environmental authority (EA) requirements and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

**Commercial place** means a place, or part of a place, used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

**Day(s)** means any 24-hour period of a calendar day.

**Disturbed areas** means areas disturbed by the carrying out of the **activity** including areas:

- a) that are susceptible to erosion; and/or
- b) that are contaminated by the **activity**; and/or
- c) upon which stockpiles of soil, minerals, or other materials are located.

**Environmental complaints** means an expression of dissatisfaction, concern or report, whether written or verbal, about the **activity** and/or its impact on the environment.

**Environmental harm** as defined in Section 14 of the *Environmental Protection Act 1994*.

**Environmental nuisance** as defined in Section 15 of the *Environmental Protection Act 1994*.

**First flush diversion system** means a system that diverts the initial 10mm of rainfall from roofed structures to the **stormwater treatment and retention measures**.

**L<sub>Aeq adj, 1 hr</sub>** means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1-hour period has the same mean square sound pressure of a sound that varies with time.

**L<sub>Amax, 1 hr</sub>** means the maximum A-weighted sound pressure level over the 1-hour measurement period.

**Land** means land excluding **waters** and the atmosphere.

**Measures** has the broadest interpretation and includes plant, equipment, physical objects, **monitoring**, procedures, actions, directions and competency.

**Mode of operation** means a condition or manner in which a unit may operate or function while on location or in transit.

**Monitoring results** includes analysis results (laboratory and in situ) and **monitoring** reports.

**Monitor, monitored and monitoring** means monitoring the impact of an **activity** on the receiving environment and includes analysing, assessing, examining, inspecting, measuring, modelling or reporting any of the following matters—

- (a) the quantity, quality, characteristics, timing and variability of the release of any contaminant; and
- (b) the effectiveness of any control measure; and
- (c) the characteristics of, and impact on, the receiving environment; and
- (d) the effectiveness of remedial or rehabilitation **measures** (if applicable to the relevant monitoring requirement).

**Raw data** means primary data collected from a source that has not been processed and includes **monitoring** sheets, **monitoring** device readings, laboratory analysis results and certificate of analysis.

**Records** include any written procedures, plans, **monitoring** results, and **monitoring** programs required under a condition of this environmental authority.

**Release of a contaminant into the environment** means to:

- (a) deposit, discharge, emit or disturb the contaminant; or
- (b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed; or
- (c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed; or
- (d) allow the contaminant to escape; or
- (e) fail to prevent the contaminant from escaping.

**Secondary containment system** means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to **land** or **waters**.

**Sensitive place** is any part of the following:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a kindergarten, school, university or other educational institution; or
- d) a medical centre or hospital; or

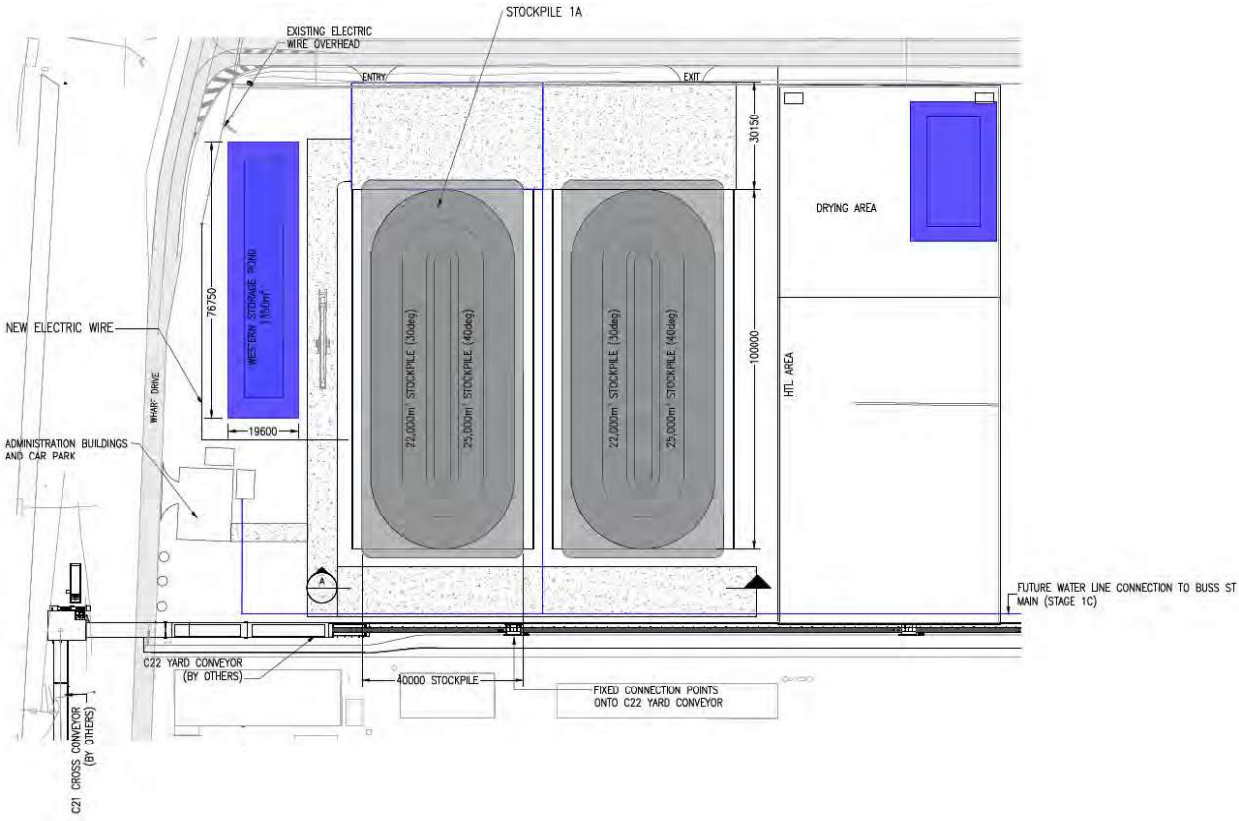
- e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- f) a public park or garden; or
- g) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2019*; or
- h) the area within the curtilage of any of the above places.

**Stormwater treatment and retention measures** include stormwater dams/ponds and sediment dams/ponds, and other sediment management infrastructure both temporary and permanent, operated as part of the **activity**.

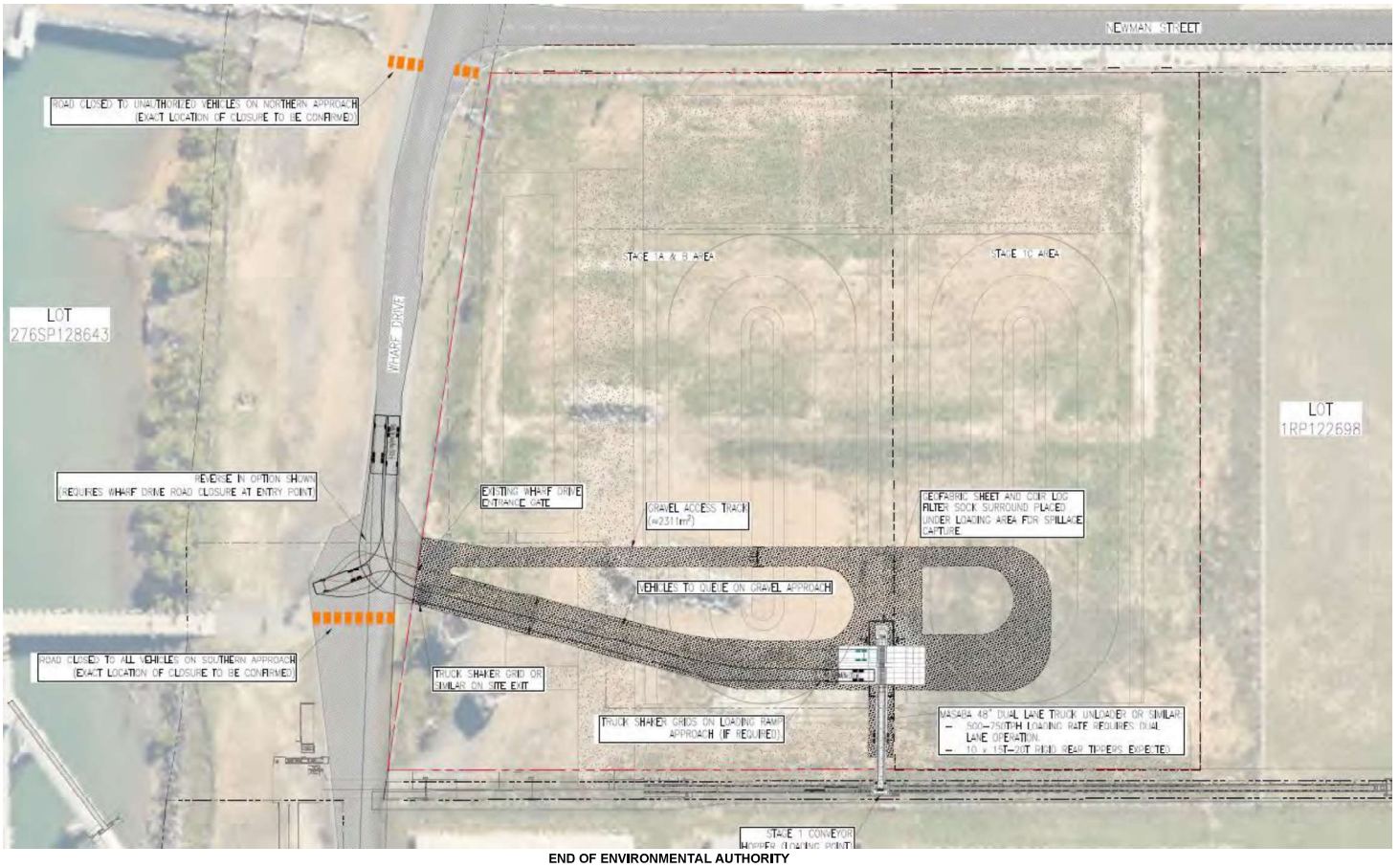
**Temporary activity** means the **activity** undertaken in accordance with the site layout shown in *Appendix 2: Temporary Activity*, which is authorised to be operated for no more than 28 **days** per calendar year.

**Waters** includes a river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

Appendix 1: Site Layout

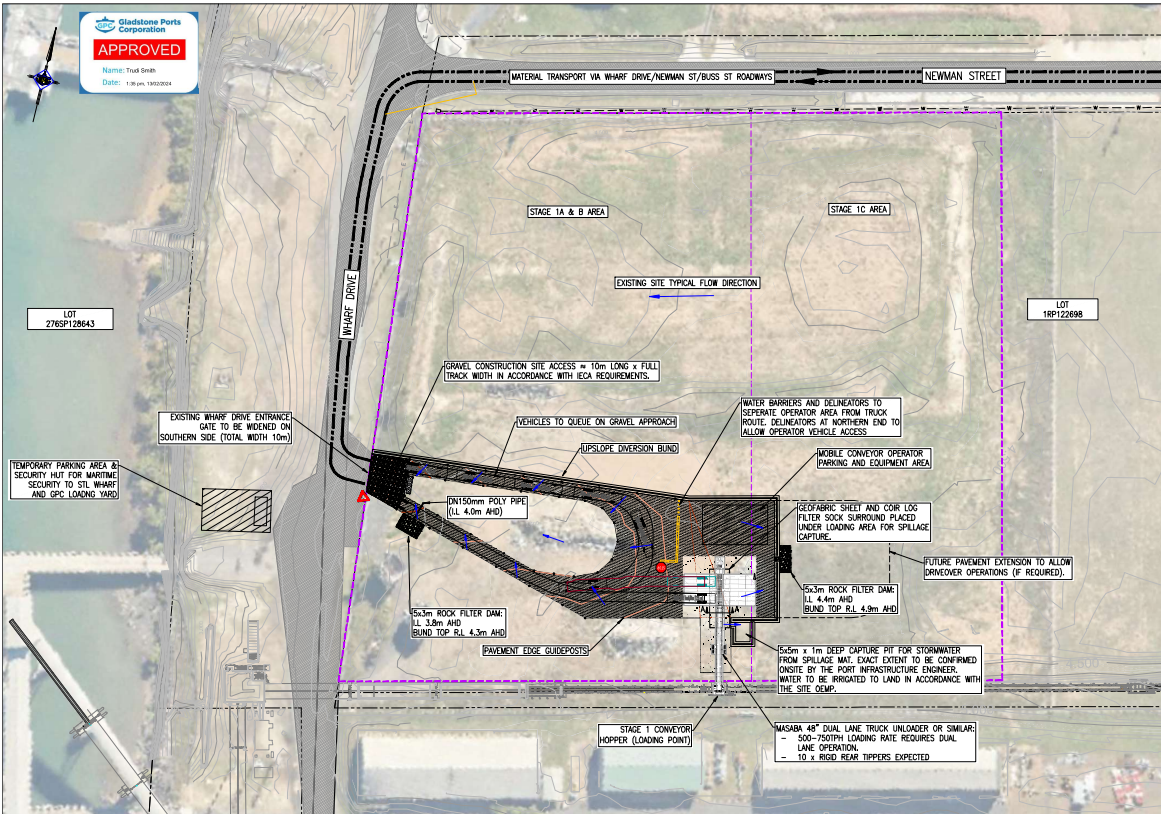


Appendix 2: Temporary Activity



## Attachment 2 Approved Plans and Specifications

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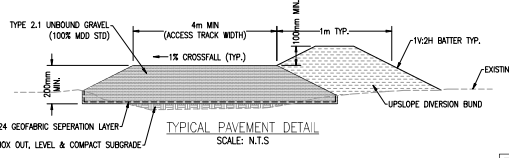
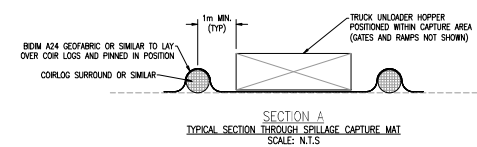


- GENERAL NOTES:**
- THIS PLAN INDICATES A PROPOSED SUB-STAGE OF THE DRY BULK STORAGE FACILITY (DBSF) DEVELOPMENT (DA2023/01/01) TO ENABLE QUICK ESTABLISHMENT OF TEMPORARY BULK MATERIAL LOADING AT THE SITE. STORAGE OF MATERIALS WOULD BE LOCATED OFFSITE AT AN ALTERNATIVE FACILITY AND TRANSPORTED TO SITE AT TIME OF VESSEL LOADING ONLY WITH NO ONSITE STORAGE.
- TRAFFIC MANAGEMENT:**
- MATERIAL TRANSPORT ROUTES WITHIN THE PORT AREA ARE VIA EXISTING SEALED ROADWAYS.
  - SITE ACCESS IS VIA THE EXISTING WHARF DRIVE PROPERTY ACCESS.
  - GUIDE POSTS SHALL BE INSTALLED ON PAVEMENT EDGES AT 10m NOMINAL SPACING ON STRAIGHTS AND 5m ON CURVES.
  - WATER BARRIERS & TEMPORARY T-BOLLARD DELINEATORS TO SEPARATE OPERATOR AREAS FROM INTERNAL TRUCK ROUTE.
  - EXACT OPERATIONAL TRAFFIC MANAGEMENT ONSITE SHALL BE DETERMINED BY THE SITE OPERATOR.
  - TEMPORARY ONSITE LIGHTING FOR NIGHT HOURS OPERATIONS TO BE CONFIRMED BY THE OPERATOR.
  - IF REQUIRED, PENDING SITE MONITORING OF TRAFFIC OPERATIONS, ANY TRAFFIC MANAGEMENT CONTROLS REQUIRED ON PUBLICLY ACCESSIBLE ROADS IS TO BE IMPLEMENTED IN ACCORDANCE WITH AUSTRALIAN GUIDANCE TO TEMPORARY TRAFFIC MANAGEMENT (ATTM) & THE QLD GUIDE TO TEMPORARY TRAFFIC MANAGEMENT (GOTM).
- EARTHWORKS:**
- PAVEMENT CONSTRUCTION SHALL BE UNDERTAKEN IN ACCORDANCE WITH THE REQUIREMENTS DETAILED IN THE PROJECT DRAWINGS AND CADD CONSTRUCTION SPECIFICATION C242 - FLEXIBLE PAVEMENTS, UNLESS APPROVED OTHERWISE ONSITE BY THE PORT INFRASTRUCTURE ENGINEER.
  - PAVEMENTS SHALL BE COMPACTED TO A MINIMUM 100% MDD (STANDARD, AS1289.5.1.1). TESTING REQUIREMENTS & FREQUENCY SHALL BE AT THE DISCRETION OF THE PORT INFRASTRUCTURE ENGINEER AND SHALL TO BE PERFORMED BY AN APPROPRIATE GEOTECHNICAL TESTING AUTHORITY (LEVEL 2 TESTING & SAMPLING).
  - BULK EARTHWORKS VOLUMES:
    - 11.1. CUT = 225m<sup>3</sup>
    - 11.2. FILL = 130m<sup>3</sup>
  - PAVEMENT VOLUMES (TYPE 2.1):
    - 12.1. FILL = 425m<sup>3</sup>
    - 12.2. FILL = 100m<sup>3</sup>
  - ROCK GABION VOLUMES:
    - 13.1. FILL = 100m<sup>3</sup>
- STORMWATER MANAGEMENT:**
- EROSION & SEDIMENT CONTROLS (IN ACCORDANCE WITH IECA BEST PRACTICE GUIDELINES) TO BE PROVIDED - REFER TO ES&C PLAN #P020166 FOR FURTHER DETAILS. EXACT CONFIGURATION OF ES&C CONTROLS TO BE CONFIRMED ONSITE BY THE PORT INFRASTRUCTURE ENGINEER.
  - A SACRIFICIAL GEOTEXTILE AND FILTER SOCK MAT IS TO BE PLACED UNDERNEATH THE LOADING AREA TO CAPTURE SPILLAGE. CLEANUP AND REMOVAL OFFSITE IS REQUIRED FOLLOWING COMPLETION OF LOADING.
  - STORMWATER CATCHMENT PIT TO BE CONSTRUCTED TO HOLD A 1 IN 10 AEP 24HR EVENT FOR DISTURBED AREA RUNOFF. THE DISTURBED AREA IS CONSIDERED TO BE THE SPILLAGE CAPTURE MAT AREA UNDER THE MOBILE TRUCK UNLOADERS.
  - REFER TO THE SITE CEMP & OEMP (#P020196) FOR FURTHER DETAILS.



**LEGEND**

GEOTEXTILE SPILLAGE CAPTURE MAT	
TYPE 2.1 GRAVEL PAVEMENT (AREA ≈ 2125m <sup>2</sup> )	
INDICATIVE STAGE 1 AREA	
ROCK GABION	
STORMWATER FLOW ARROW	
EXISTING CONTOURS	
DESIGN CONTOURS	



REV	DRN	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
H	MK	18/01/24	LAYOUT UPDATED					
D	MK	24/01/24	FOR CONSTRUCTION ISSUE					
C	MK	24/11/23	LAYOUT UPDATED					
D	MK	27/11/23	OPTION #2 LAYOUT					
E	MK	28/11/23	MODIFIED TO SUIT REVERSE IN FOR SILICA SAND LOADING					
F	MK	04/12/23	DETAILS UPDATED					
G	MK	08/12/23	STAGE 1 UNDERLAY ADDED FOR REFERENCE					

FILE NAME	DESCRIPTION	BOOKS

**GLADSTONE PORTS CORPORATION**  
PORT PLANNING AND DEVELOPMENT

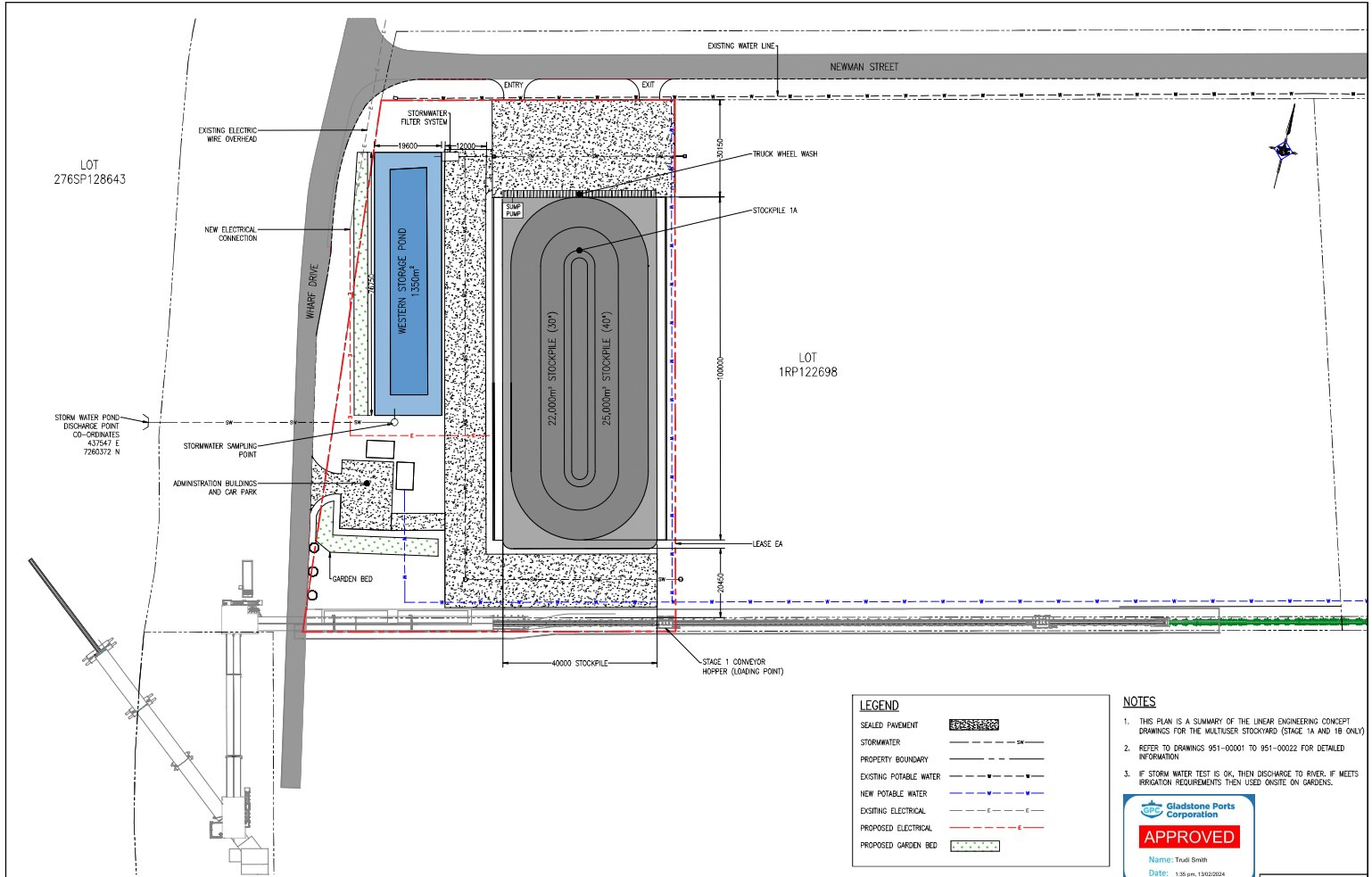
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DRAWN	MAKENEDY	22.11.23
CHECK	P. PASAMUSSEN	25.01.24
DESIGN	MAKENEDY	25.01.24
APPROVE	O.BARRON	25.01.24

**FOR CONSTRUCTION**

BUNDBERG UNLOADING AND STOCKPIILING DRY BULK STORAGE FACILITY (DBSF) TEMPORARY LOADING FACILITY LAYOUT PLAN & DETAILS

Ext Ref No.	
GPC DRAWING No.	951-00028
Asmt/Port No.	A1
REV. DATE/Issued No.	0



LEGEND	
SEALED PAVEMENT	
STORMWATER	
PROPERTY BOUNDARY	
EXISTING POTABLE WATER	
NEW POTABLE WATER	
EXISTING ELECTRICAL	
PROPOSED ELECTRICAL	
PROPOSED GARDEN BED	

- NOTES**
- THIS PLAN IS A SUMMARY OF THE LINEAR ENGINEERING CONCEPT DRAWINGS FOR THE MULTUSER STOCKYARD (STAGE 1A AND 1B ONLY).
  - REFER TO DRAWINGS 951-00001 TO 951-00022 FOR DETAILED INFORMATION.
  - IF STORM WATER TEST IS OK, THEN DISCHARGE TO RIVER. IF MEETS IRRIGATION REQUIREMENTS THEN USED ONSITE ON GARDENS.



SKETCH

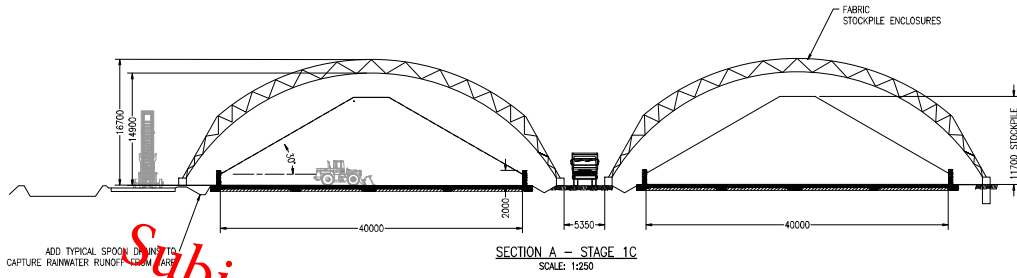
REV	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
A	T.R.	13.09.23					CONCEPT ONLY
B	T.R.	18.09.23					CORRECTED NOTES
C	T.R.	18.09.23					INDICATE WHEEL WASH LOCATION IMPLEMENTED

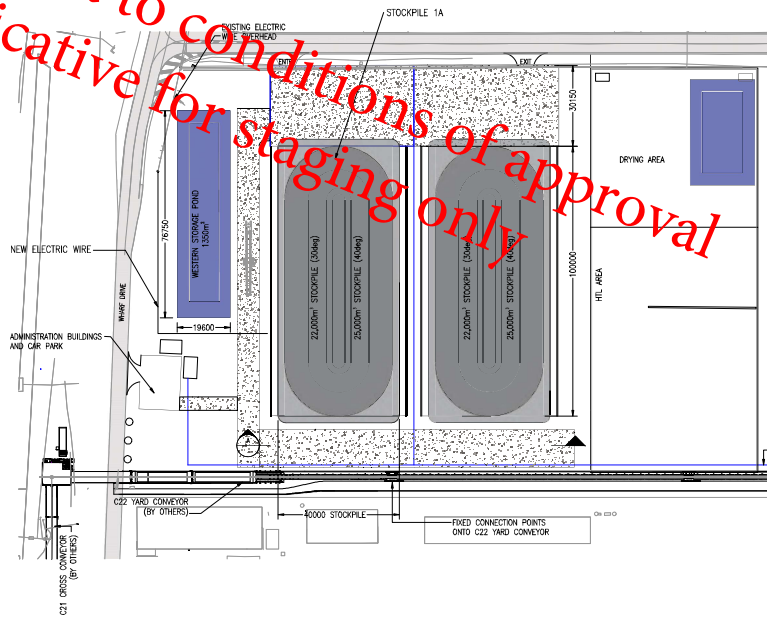
UNLDRG: ALL DIMENSIONS SCALE 1:15000 IN METERS AT A1 INFORMATION ONLY, DO NOT SCALE - IF IN DOUBT, ASK.	DRAWING LEVEL: HORIZ-GD2020	© GLADSTONE PORTS CORPORATION PORT PLANNING AND DEVELOPMENT	DRAWN: T.R. CHECK: T.R. DESIGN: T.R. APPROVE: T.R.	DATE: 13.09.23
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THIS DRAWING REMAINS THE PROPERTY OF THE GLADSTONE PORTS CORPORATION AND MUST NOT BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF THE GLADSTONE PORTS CORPORATION	<b>BUNDEBERG UNLOADING AND STOCKPILING MULTUSER STOCKYARD STAGE 1A AND 1B CONCEPT SITE PLAN</b>	Ext Ref No. GPC DRAWING No. <b>951-00027</b> A1 (Area)/Port No. REV, DATE, RSG/Resp No. C
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Subject to conditions of approval  
Indicative for staging only



PRELIMINARY ONLY

REV	DRN	DATE	REVISION DESCRIPTION	CHKD	DESIGN	APPR	DRG. NO.	REFERENCE DRAWING TITLE
A	N.M.	30.11.21	DRAWN FOR CLIENT REVIEW					

USE SHED COPY INFORMATION ONLY UNLESS ELECTRONIC CAD FILE ACCURACY IS NOT GUARANTEED.  
3RD ANGLE PROJECTION UNLESS OTHERWISE NOTED.  
ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE NOTED.  
**LINEAR ENGINEERING**

© GLADSTONE PORTS CORPORATION	
SCALE AT A1: 1:250	DATE: 30.11.21
DESIGNER: T. SWANBOROUGH	CHECKER: C. COOPER
DESIGN: T. SWANBOROUGH	DATE: 30.11.21
RFQD	
APPROVE	

**PORT OF BUNDABERG  
MULTIUSER STOCKYARD  
STAGE 1C  
SITE PLAN AND ELEVATIONS**

Est Ref No. F08-05-03	951-00003
SPEC DRAWING No.	
A11	Form/Part No.
REV A	DWG/Sheet No.

## Attachment 3 Third Party Advice

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18 April 2023

Gladstone Ports Corporation  
via email: [planning@gpcl.com.au](mailto:planning@gpcl.com.au)

Attn: Ms Trudi Smith

Dear Ms Smith

RE: – Invitation to provide third party advice – Material Change of Use for Dry Bulk Export Facility at Wharf Drive BURNETT HEADS 4670, land described as Lot 1 on RP122698.

Thank you for your email dated 7 March 2023 requesting the Bundaberg Regional Council (Council) for third party advice in relation to the above-described development application. I understand your request relates to the Council's role as a service provider for water, sewer, stormwater, and road infrastructure within the area covered by Port of Bundaberg Land Use Plan.

With regard to the use of and access to Council's infrastructure, please be advised:

Transport infrastructure

Council recommends the following conditions be imposed to ensure the development appropriately connects with the road network.

<b>ROADWORKS AND ACCESS</b>		
1.	Design and construct the site access and driveways in accordance with the Approved plans, and Council's standard drawing Industrial and Commercial Driveway Slab, Drawing No. R1011, Revision A.	Prior to the commencement of the use and then to be maintained
2.	Submit a completed copy of Council's 'FM-7-003 Application to carry out works within Council's Road Reserve' form for approval prior to work within the road reserve being undertaken.	Prior to the commencement of work
3.	Remove all disused or redundant vehicular crossings, kerb drainage outlets, and footpath crossovers and reinstate kerb and channel, and footpaths as required.	Prior to the commencement of the use

4.	Repair any damaged kerb and channel, footpath, or road (including removal of concrete slurry from footpath, roads, kerb and channel, and stormwater gullies and drainlines) and reinstate existing traffic signs and pavement markings that have been removed or damaged during any works carried out in association with the approved development.	Prior to the commencement of the use
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Stormwater infrastructure

Council recommends the following condition be imposed.

<b>STORMWATER</b>		
5.	Design and implement a stormwater drainage system connecting to the lawful point of discharge at the Burnett River generally in accordance with Site Plan GPC Drawing No. 951-00001, Revision A, dated 30 November 2021.  <b>Note:</b> <i>Discharge to Council's stormwater infrastructure in Newman Street is not permitted unless otherwise approved in writing by Council.</i>	Prior to site work commencing and at all times during construction

Water infrastructure

Prior to Council accepting and approving access to its water infrastructure the applicant must provide a Network Analysis Report to demonstrate that the proposed service provides compliant pressures and capacity to satisfy the demands of the development. Council's Water Services Department can provide boundary conditions for Water Modelling purposes. This data attracts a fee.

Should the modelling demonstrate the existing water network has insufficient pressure and capacity the applicant may need to undertake work to upgrade the network. All work on Council's network must first be approved by Council.

Please contact Council's Water Services Department on 1300 883 699 for further information.

Wastewater infrastructure

Initial investigations show that the Marina Drive Sewage Pump Station has insufficient capacity to service the proposed development. Prior to Council accepting and approving access to its wastewater infrastructure the applicant must provide and submit a network design to Council for approval. The design is to consider:

**Proposed Pump Station**

- Provision of a new pump station.

- The pump station should be located on a land parcel with a minimum area of 400m<sup>2</sup> with minimum dimensions of 20m x 20m in accordance with WBBROC standard drawing WBB-SPS-1102-1.
- The land parcel is to be dedicated to Council prior to Council accepting on maintenance.
- The location of the pump station must be approved by the Gladstone Port Authority and Council.
- The pump station is to be designed in accordance with WBBROC standard drawings.
- The pump station should be located with direct access to a road reserve (i.e. not accessed via an easement or access handle).
- The applicant is to submit to Council a report which details the design of the pump station.

#### **Proposed Rising Main**

- The new pump station is to discharge to the existing pump station located at the corner of Rowlands Road and Canefields Drive via a rising main.
- The size of the rising main is to be determined by the pump station designer.
- The designer is to undertake an investigation to determine the optimum route. Moffatt Street seems like the best starting point however there are challenges with existing services. A dial before you dig is advised.
- The applicant shall submit to Council a report which details the design of the rising main.

#### **Proposed Servicing Extents**

- The pump station is to be designed to a depth that will enable the remaining vacant land identified in figure 1 below via gravity reticulation.
- The applicant is to submit a design of a gravity sewer network which demonstrates that all land identified in figure 1 can be serviced.

All design work must be certified by a suitably qualified engineer (RPEQ).



Figure 1 - Proposed Pump Station Service Area

Please quote Council's application number: 329.2023.1683.1 in all subsequent correspondence relating to this matter. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact me on telephone 1300 883 699.

Yours faithfully

Hugh Byrnes  
Principal Planner

## **Schedule 1      Appeals**

section 229

### **1      Appeal rights and parties to appeals**

- (1) Table 1 states the matters that may be appealed to—
  - (a) the P&E court; or
  - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
  - (a) the refusal, or deemed refusal of a development application, for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (b) a provision of a development approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (c) if a development permit was applied for—the decision to give a preliminary approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (d) a development condition if—
    - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- 
- (ii) the building is, or is proposed to be, not more than 3 storeys; and
    - (iii) the proposed development is for not more than 60 sole-occupancy units; or
  - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
  - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
  - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
  - (h) a decision to give an enforcement notice—
    - (i) in relation to a matter under paragraphs (a) to (g); or
    - (ii) under the *Plumbing and Drainage Act 2018*; or
  - (i) an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
    - (i) a development approval for which the development application required impact assessment; and
    - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
  - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
  - (a) column 1 states the appellant in the appeal; and
  - (b) column 2 states the respondent in the appeal; and
  - (c) column 3 states the co-respondent (if any) in the appeal; and
  - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

*storey* see the Building Code, part A1.1.

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

1. Development applications

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

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

<b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency’s referral response—the concurrence agency	<ol style="list-style-type: none"> <li>1 A concurrence agency that is not a co-respondent</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 Any eligible advice agency for the application</li> <li>4 Any eligible submitter for the application</li> </ol>
<p><b>2. Change applications</b></p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity’s decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

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

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p><b>4. Infrastructure charges notices</b></p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> <li>• the incorrect application of gross floor area for a non-residential development</li> <li>• applying an incorrect ‘use category’, under a regulation, to the development</li> </ul> <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&amp;E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

<b>Table 1</b>			
<b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p><b>5. Conversion applications</b>                      An appeal may be made against—                      (a) the refusal of a conversion application; or                      (b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p><b>6. Enforcement notices</b>                      An appeal may be made against the decision to give an enforcement notice.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

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

<b>Table 2</b> <b>Appeals to the P&amp;E Court only</b>			
1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			

<b>Table 2 Appeals to the P&amp;E Court only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			

<b>Table 2 Appeals to the P&amp;E Court only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—

<b>Table 2 Appeals to the P&amp;E Court only</b>			
<p>5. Registered premises</p> <p>An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	<p>The Minister</p>	<p>—</p>	<p>If an owner or occupier starts the appeal—the owner of the registered premises</p>
<p>6. Local laws</p> <p>An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

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

<b>Table 3 Appeals to a tribunal only</b>			
1. Building advisory agency appeals			
An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval  2 A private certifier for the development application related to the approval

<b>Table 3 Appeals to a tribunal only</b>			
<p>2. Inspection of building work</p> <p>An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Failure to decide an application or other matter under the Building Act</p> <p>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.</p>			

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