

30 July 2026

Monsoon Aquatics Pty Ltd
c/- wildPLAN Pty Ltd
Att: Matthew Ward
PO Box 8028
CAIRNS QLD 4870

Dear Matthew,

DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2026/02/01

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

1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **8 April 2026**.

Application Number:	DA2026/02/01
Applicant Name:	Monsoon Aquatics Pty Ltd
Applicant Contact Details:	c/- wildPLAN Pty Ltd Att: Matthew Ward PO Box 8028 CAIRNS QLD 4870 Email: Matthew@wildplan.com.au
Approvals Sought (LUP):	• Material Change of Use for Passenger Terminal and • Operational Works for Tidal Works (Pontoon)
Proposed Development:	MCU Passenger Terminal and Operational Works - Tidal Works for a pontoon, gangway and abutment (Staged)
Street Address:	145 Buss Street, Burnett Heads
Real Property Description:	Part of Lot 287 on SP166199, Part of Lot 501 on SP279707, being Sublease 718434825 within Lease AA on SP225499
Land Owner:	Gladstone Ports Corporation Limited
Land Use Plan:	Light Industry and Innovation and Wharves

2. Details of Proposed Development

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

- Material Change of use – Passenger Terminal
- Operational Works for Tidal Works – Pontoon, gangway and abutment (staged)

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 concurrence agency imposed them.

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

4. Details of Approval

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

- (a) Material Change of Use for Passenger Terminal; and
- (b) Operational Works that is Tidal Works (Pontoon, gangway and abutment – two stages).

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) Operational works (part of Lot 501) 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 17, Division 3, Table 1, Item 1 – Operational work that is tidal works Schedule 10, Part 17, Division 3, Table 2 – Operational work that is tidal works in tidal waters (maritime safety)	Department of State Development, Infrastructure and Planning	Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 BUNDABERG QLD 4670 WBBSARA@dsdmip.qld.gov.au

For an application involving	Name of referral agency	Address
<i>Planning Regulation 2017</i> Schedule 10, Part 13, Division 3, Table 1 - development within limits of a port and on land below high-water mark	Gladstone Ports Corporation (Port Limits)	Gladstone Ports Corporation Limited 40 Goondoon Street GLADSTONE QLD 4680 planning@gpcl.com.au

In accordance with Section 54(3) of the *Planning Act 2016*, referral to the Port Authority is not required as the Port Authority is the Assessment Manager.

8. 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
General Note	GC Marine Pty Ltd	26/06/26	W001	8
Locality Plan & Sub-Lease Details	GC Marine Pty Ltd	26/06/26	W101	8
General Arrangement Layout & Inclusions	GC Marine Pty Ltd	26/06/26	W103	8
General Arrangement Elevation	GC Marine Pty Ltd	26/06/26	W104	8
General Arrangement Elevation – Q100 Level	GC Marine Pty Ltd	26/06/26	W105	8
Pontoon A Frame Details	GC Marine Pty Ltd	26/06/26	W201	8
Pontoon B Frame Details	GC Marine Pty Ltd	26/06/26	W202	8
Pontoon Frame Details	GC Marine Pty Ltd	26/06/26	W203	8
Pontoon A Void Details	GC Marine Pty Ltd	26/06/26	W204	8
Pontoon B Void Details	GC Marine Pty Ltd	26/06/26	W205	8
Gangway Details 1 of 3	GC Marine Pty Ltd	26/06/26	W301	8
Gangway Details 3 of 3	GC Marine Pty Ltd	26/06/26	W302	8
Gangway Details 3 of 3	GC Marine Pty Ltd	26/06/26	W303	8
Internal Pile Bracket Details	GC Marine Pty Ltd	26/06/26	W401	8
Pile Ring Details	GC Marine Pty Ltd	26/06/26	W402	8
Elastomeric Hinge Details	GC Marine Pty Ltd	26/06/26	W403	8
Gangway Abutment Details	GC Marine Pty Ltd	26/06/26	W501	8
Monsoon Aquatics Pty Ltd Operational Environmental Management Plan – Keppeluna UVI 415621	Monsoon Aquatics	08/07/2026	09/059205	-

9. Currency Period for the Approval

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

- (a) For Material Change of Use this approval lapses if the first change of use does not happen within 6 years after the approval has effect.
- (b) For all other approvals excluding Reconfiguring a Lot, the approval lapses if the development does not substantially start within 2 years of this approval taking effect.

10. Rights of Appeal

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

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

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

Yours sincerely,


Dean O'Dowd (30/07/2026 08:47:47 GMT+10)

Dean O'Dowd

(Acting) Group Executive Terminal Operations

Cc: Wide Bay Burnett State Assessment Referral Agency (WBBSARA)

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 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) Port of Bundaberg Land Use Plan 2020. 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 and Port land tidal area and Operational Works that is for Tidal Works

General

1. Development / construction must be carried out generally in accordance with the approved plans, except where modified by conditions of this permit.
2. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of the development/construction.

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 Assessment Manager will require no less than 10 business days, unless otherwise conditioned, to initially assess the drawings or documentation provided prior to the commencement of the development/construction.

3. The Applicant must at their cost and expense, keep and maintain the development footprint, including existing services, in a state that is satisfactory to the Assessment Manager.
4. Access to/from the Passenger terminal is limited to passengers associated with the Monsoon Aquatic’s commercial vessel activity
5. At all times, an Emergency Management Plan must be kept and adhered to for safe evacuation of the site during natural hazards or flood hazard events.
6. The street address / access point of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street name and number and, where appropriate, the business name.

The street address for this location is 145 Buss Street, Burnett Heads.

7. Prior to the Passenger Terminal use commencing, an additional two (2) car parking spaces are to be provided within the existing approved car parking area for this approved use.
8. Car parking must be located a minimum of 3m from the top of the adjacent sea wall, constructed on the existing gravel area and include wheel stops for safety.

Hours of Operation

9. The hours for the construction / operation 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 Friday and 6.30am to 12.30pm Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager.

Waste Management

10. A waste disposal facility (of sufficient size for all approved activity waste volume and type) must be maintained and serviced at all times.
11. Waste organic material must be disposed of offsite in a timely manner to mitigate potential odours.

Lighting

12. All external lighting must be installed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting so as not to cause nuisance to residents, the airport, navigational aids or obstruct or distract pedestrian or vehicular traffic.
13. Prior to development 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 if requested.

Engineering

14. Prior to commencement of works for Stage 2, the Applicant must supply to the Assessment manager, a construction methodology report for the proposed lifting of Pontoon B and any gangway components into the water, where lifting or craneage is proposed to occur on Strategic port land or tidal areas including marine infrastructure.

Note: Access for any lifts where impacts to normal wharf, road or pedestrian footpaths will require timing of the works to be approved by the Marina Superintendent by contacting marinaadmin@gpcl.com.au

15. Upon completion of the construction works, the Applicant must reinstate the property to the same condition prior to the works being undertaken, with the exception of the approved works, unless agreed to in writing by the Assessment Manager.

Stormwater

16. Construction activities shall be undertaken in accordance with the requirements of the latest edition of the International Erosion Control Association (IECA) – Best Practice Erosion & Sediment Control guideline.
17. The design of the site drainage system, filling of the site, any car parking and accesses must be undertaken so that stormwater flows from adjacent properties will not be impeded by the development.

Infrastructure

18. The applicant must notify the Assessment Manager of damage caused to any port or port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting etc., roads, walkways and underground services or infrastructure, as a result of the approved use or during construction. The applicant must undertake necessary repairs at their expense and to the satisfaction of the Assessment Manager.

Tidal Works

19. Upon completion of the works for each stage, the applicant must provide the Assessment manager with RPEQ certified “As Constructed” plans in hard copy (PDF) and electronic (CAD format including spatial reference coordinates) which illustrate all infrastructure and services installed on, under or over Port land and Port tidal areas associated with the activity unless otherwise approved in writing by the Assessment Manager.
20. The applicant must also certify that the development is constructed as per design for each stage and that the development has been constructed generally in accordance with the approved plans, prior to the use commencing.
21. Any site lighting used during construction 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 operations with respect to navigation.

Gladstone Ports Corporation Limited

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

Where an issue is identified or a validated complaint received, the applicant must immediately rectify to the satisfaction of the Assessment Manager.

22. Any material which is deposited (not authorised under this approval) or any debris which falls or is deposited on tidal lands or into tidal waters during the construction of the approved development for each stage shall be removed by the applicant at their cost and expense. The applicant is to notify the Assessment Manager if any material or debris is deposited.
23. Upon completion of construction for each stage, the applicant shall provide the Assessment Manager with written confirmation that the seabed is clear of foreign materials.
24. If, as a result of the works, or other cause attributable to the applicant, any Port bank or tidal structure is displaced, the applicant at its cost and expense shall restore the bank or structure to its former condition and take such other action as is necessary to ensure the stability of the bank or structure to the satisfaction of the Assessment Manager.

Acid Sulphate Soils

25. 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.
26. Upon approval of the Acid Sulphate Management Plan, the works must be carried out in accordance with this plan and the plan.

Environment

27. During construction within the tidal waters, a Marine Fauna Spotter or operator is to be present to ensure that piling will not be carried out while dugongs, marine turtles, dolphins are within 150m of piling activities.
28. Works on land are to be undertaken in accordance with 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.
29. The Monsoon Aquatics Pty Ltd Operational Environmental Management Plan is to be amended to include consideration and mitigation applicable for the management of noise impacts and incident reporting to the Gladstone Ports Corporation hotline. A copy of the amended report is to be provided to the Assessment Manager, upon request.

Incident notification

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

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

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

Vessel management

31. Works within Port Limits are to be undertaken in accordance with a Marine Execution Plan. If deemed necessary by the Regional Harbour Master, the Marine Execution Plan should be submitted to MSQ prior to works commencing. A copy of the Marine Execution Plan shall be provided to the Assessment Manager upon request.

32. Refuelling of vessels (as part of the Passenger Terminal) is to be undertaken offsite at a licenced refuelling facility.
33. All waste generated on vessels in carrying out the works must be disposed of at a proper and appropriate facility.

ADVICE NOTES

- a. The subject site (Lot 501) 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.
- b. Where the Applicant is required to submit further documentation to the Assessment Manager, this is to be directed to the Planning section at planning@gpcl.com.au including reference to the allocated reference number DA2026/02/01.
- c. 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.
- d. 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.
- e. 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.
- f. The RPEQ bears full responsibility for all aspects of the engineering design, including the identification and resolution of any design faults that may arise throughout the course of the Operational Works. The Assessment Manager reserves the right to require further amendments and/or additions at a later date should design errors become apparent.
- g. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: security@gpcl.com.au and gpcsupervisor@gpcl.com.au

PART 2: REFERRAL AGENCY CONDITIONS

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

SARA reference: 2604-51733 SRA
GPC reference: DA2026/02/01
Applicant reference: WP25 090

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

Attention: Trudi Smith

Dear Trudi

SARA Referral Agency Response—Buss 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 13 April 2026.

Response

Outcome:	Referral Agency Response – with Conditions
Date of Response:	
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development Details

Description:	Development Permit	• Material Change of Use for Passenger Terminal • Operational Work for Tidal Works for a Pontoon
SARA Role:	Referral Agency	
SARA Trigger:		• Schedule 10, Part 17, Division 3, Table 1, Item 1 (10.17.3.1.1) of the Planning Regulation 2017 – Operational work that is tidal works • Schedule 10, Part 17, Division 3, Table 2, Item 1 (10.17.3.2.1) of the

Planning Regulation 2017 – Operational work that is tidal works in tidal waters (maritime safety)

SARA Reference: 2604-51733 SRA

Assessment Manager: Port of Gladstone Ports Corporation Limited

Street Address: Buss Street, Burnett Heads

Real Property Description: Lot 287 on SP166199 and Part of Lot 501 on SP279707, being Sublease 718434825 within Lease AA on SP225499

Applicant Name: Monsoon Aquatics Pty Ltd

Applicant Contact Details: C/- wildPLAN Pty Ltd
PO Box 8028
CAIRNS QLD 4870
matthew@wildplan.com.au

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

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (Chapter 1, Part 7, Section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Cavannah Deller, Senior Planning Officer, on (07) 3244 9343 or via email WBBSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely

Signature
placeholder

cc Monsoon Aquatics Pty Ltd C/- wildPLAN Pty Ltd, matthew@wildplan.com.au

enc Attachment 1 – Referral Agency Conditions
Attachment 2 – Advice to the Applicant
Attachment 3 – Reasons for Referral Agency Response
Attachment 4 – Representations about a Referral Agency Response Provisions
Attachment 5 – Documents Referenced in Conditions

Attachment 1—Referral Agency Conditions

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

No.	Conditions	Condition Timing
Operational Work		
10.17.3.1.1 – Operational work that is tidal works—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of the Environment, Tourism, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Carry out the tidal works generally in accordance with the following plans: • Locality Plan & Sub-Lease Details prepared by GC Marine Pty Ltd dated 25.05.26, drawing number W101 and revision 7 • General Arrangement Layout & Inclusions prepared by GC Marine Pty Ltd dated 25.05.26, drawing number W103 and revision 7 • General Arrangement Elevation prepared by GC Marine Pty Ltd dated 25.05.26, drawing number W104 and revision 7.	For the duration of the works
2.	Maintain the development in accordance with the plans referenced in Condition 1, and the requirements of any conditions included in this referral agency response.	At all times
3.	For the works, only use clean materials which are free from prescribed water contaminants.	For the duration of the works
4.	Development must prevent the release of sediment to tidal waters by installing and maintaining erosion and sediment control measures which are in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association).	For the duration of the works
5.	Should the tidal works collapse, fail or otherwise suffer structural consequences which impact their integrity or ability to function as intended, the tidal works must be: (a) reinstated in accordance with this referral agency response; or (b) removed and disposed of at an appropriately licensed facility.	As soon as reasonably practical subsequent to the damage
6.	(a) Obtain Registered Professional Engineer of Queensland (RPEQ) certification confirming that the tidal works have been constructed in accordance with the Department of Environment and Heritage Protection guideline <i>Building and engineering standards for tidal works</i> . (b) Submit a copy of the certification to palm@detsi.qld.gov.au or mail to: Department of the Environment, Tourism, Science and Innovation Permit and Licence Management Implementation and Support Unit GPO Box 2454	Within 10 business days of the completion of the works

	BRISBANE QLD 4001	
7.	Submit "As Constructed drawings" to palm@detsi.qld.gov.au or mail to: Department of the Environment, Tourism, Science and Innovation Permit and Licence Management Implementation and Support Unit GPO Box 2454 BRISBANE QLD 4001	Within 20 business days of the completion of the works
8.	(a) In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines</i>, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014. (b) Submit certification from an appropriately qualified person on acid sulfate soil, confirming that the affected soil has been neutralised or contained in accordance with (a) above to palm@detsi.qld.gov.au or mail to: Department of the Environment, Tourism, Science and Innovation Permit and Licence Management Implementation and Support Unit GPO Box 2454 BRISBANE QLD 4001 Note: Appropriately qualified person means a person or persons who has professional qualifications, training, skills and experience relevant to soil chemistry or acid sulfate soil management and can give authoritative assessment, advice and analysis in relation to acid sulfate soil management using the relevant protocols, standards, methods or literature.	(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained (b) Within 10 business days of the completion of the works to neutralise or contain the soils

Attachment 2—Advice to the Applicant

General Advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) version 3.5. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for Referral Agency Response

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

The reasons for the SARA's decision are:

- SARA assessed the development against the following codes of SDAP version 3.5:
 - State code 7: Maritime safety (State code 7)
 - State code 8: Coastal development and tidal works (State code 8).
- The development complies with the assessment benchmarks of State code 7 of SDAP in that the development does not compromise the:
 - viable operation of aids to navigation
 - safe operation of vessels in navigable waterways.
- The development complies with the assessment benchmarks of State code 8 of SDAP in that the development is designed and located to:
 - protect life, buildings and infrastructure from the impacts of coastal erosion
 - maintain coastal processes
 - conserve coastal resources
 - maintain appropriate public use of, and access to and along, State coastal land
 - account for the projected impacts of climate change
 - avoid impacts on Matters of State Environmental Significance (MSES).

Material used in the assessment of the application:

- the development 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
- section 58 of the *Human Rights Act 2019*

Attachment 4—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 Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 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.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² 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

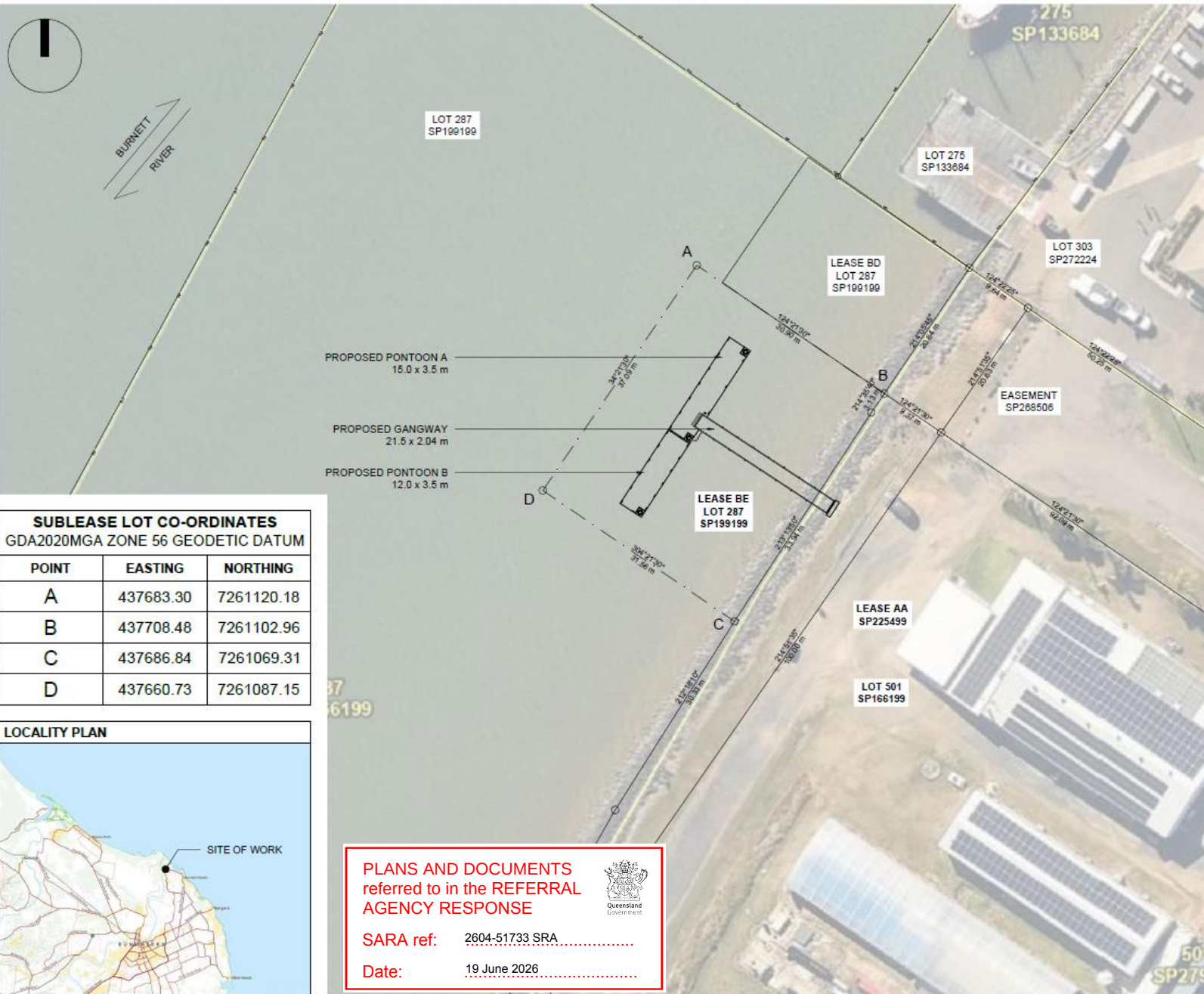
30 Representations about a referral agency response

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.³

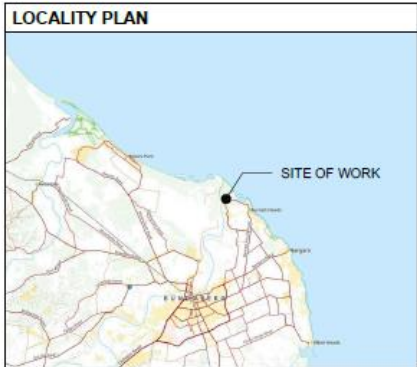
³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Attachment 5—Documents Referenced in Conditions

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SUBLEASE LOT CO-ORDINATES		
GDA2020MGA ZONE 56 GEODETIC DATUM		
POINT	EASTING	NORTHING
A	437683.30	7261120.18
B	437708.48	7261102.96
C	437686.84	7261069.31
D	437660.73	7261087.15



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref:

2604-51733 SRA

Date:

19 June 2026

GC MARINE PTY LTD

PHONE: (07) 5597 5967
E-MAIL: INFO@GCMARINE.COM.AU
ABN: 96 602 996 672
ADDRESS: 16 WRIGHTS PLACE
ARUNDEL QLD 4214

CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
NEW COMMERCIAL
USE PONTOON

PROJECT ADDRESS:
145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA

DRAWING TITLE:
LOCALITY PLAN
& SUB-LEASE DETAILS

DRAWING NUMBER:
W101

REVISION: 7 SCALE: 1:500

REV	DR	DATE	AMENDMENTS
0	R.W.	29.09.25	ISSUE FOR QUOTE
1	R.W.	22.10.25	GA CLIENT REVIEW
2	R.W.	12.11.25	GPC PROPOSAL
3	R.W.	29.01.25	ISSUE FOR RPEQ
4	R.W.	18.02.26	PONTOON B FOR RPEQ
5	R.W.	02.03.26	REPOSITIONED
6	R.W.	26.03.26	GPC FEEDBACK
7	C.S.	25.05.26	SUBLEASE + ABUTMENT

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GCM-2136

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2604-51733 SRA
Date: 19 June 2026



GC MARINE PTY LTD

PHONE: (07) 5597 5967
E-MAIL: INFO@GCMARINE.COM.AU
ABN: 96 602 996 672
ADDRESS: 16 WRIGHTS PLACE
ARUNDEL QLD 4214

CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
NEW COMMERCIAL
USE PONTOON

PROJECT ADDRESS:
145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA

DRAWING TITLE:
GENERAL ARRANGEMENT
LAYOUT & INCLUSIONS

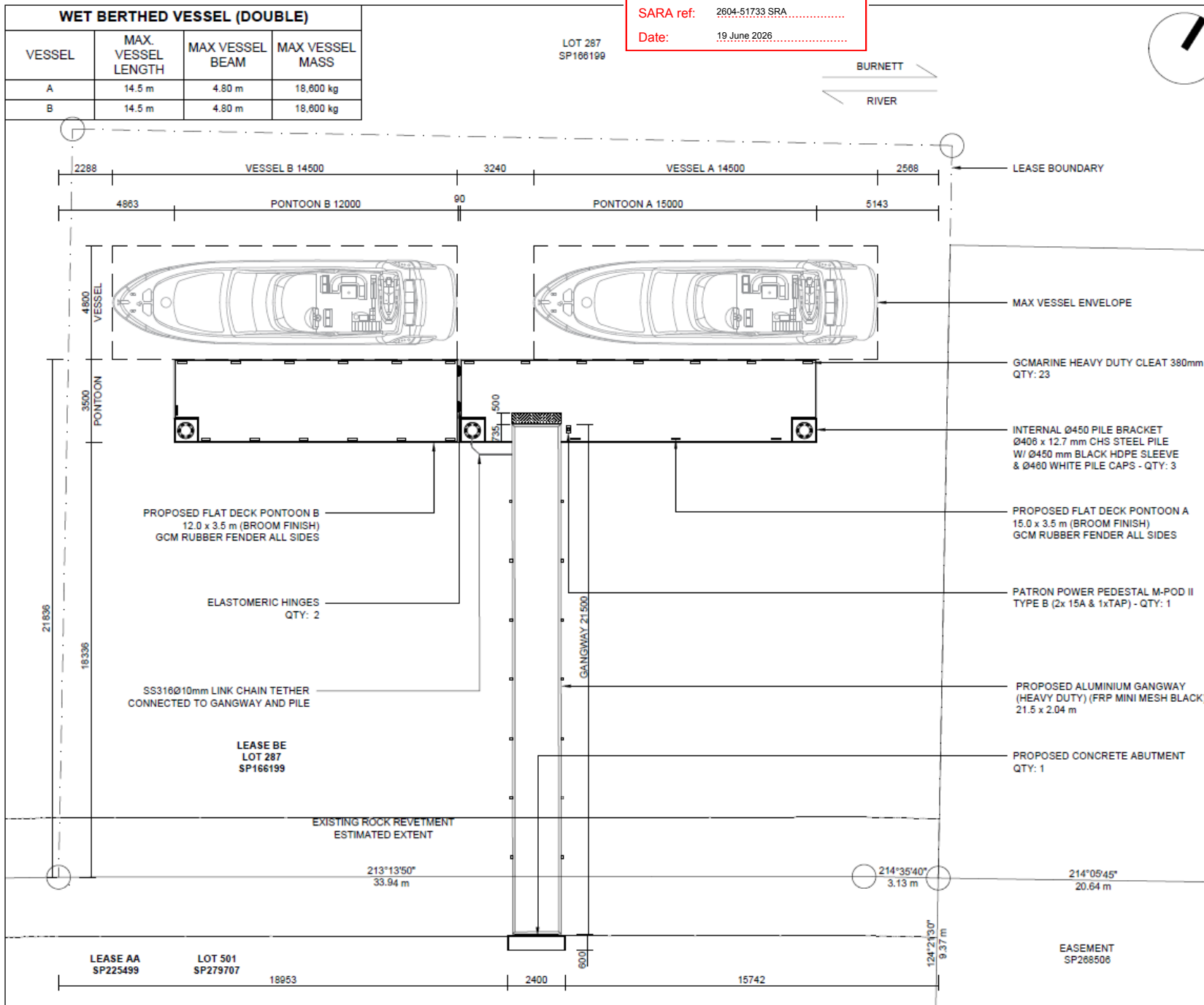
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2	R.W.	12.11.25	GPC PROPOSAL
3	R.W.	29.01.25	ISSUE FOR RPEQ
4	R.W.	18.02.26	PONTOON B FOR RPEQ
5	R.W.	02.03.26	REPOSITIONED
6	R.W.	26.03.26	GPC FEEDBACK
7	C.S.	25.05.26	SUBLEASE + ABUTMENT

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CLIENT:

DANIEL KIMBERLEY

PROJECT NAME:
NEW COMMERCIAL
USE PONTOON

PROJECT ADDRESS:
145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA

DRAWING TITLE:
GENERAL ARRANGEMENT
ELEVATION

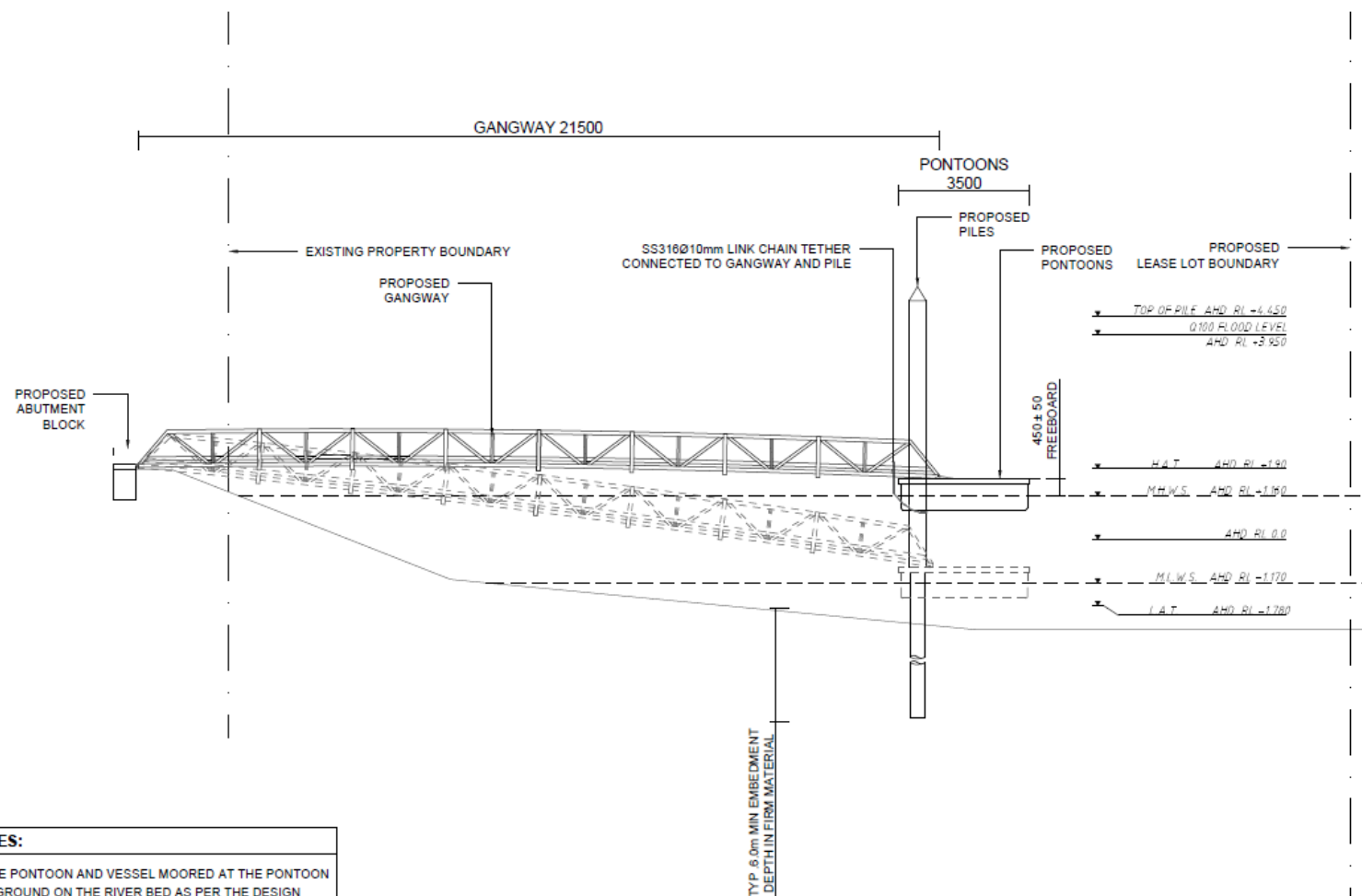
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NOTES:

1 - THE PONTOON AND VESSEL MOORED AT THE PONTOON MAY GROUND ON THE RIVER BED AS PER THE DESIGN INTENTION OF THE APPLICANT. THE VESSEL MOORED AT THE PONTOON SHOULD BE A TYPE OF VESSEL INTENDED TO SIT ON THE RIVER BED/BANK (VESSEL SHOULD NOT TIP WHEN GROUNDING AT LOW TIDES). THE CANAL PROFILE IS NOT TO BE ALTERED FROM THE MAINTENANCE PROFILE. DREDGING BELOW THE MAINTENANCE PROFILE IS NOT PERMITTED.

2 - CANAL PROFILE TO BE DETERMINED UPON SUBMISSION TO GCMARINE OF DETAILED HYDROGRAPHIC SURVEY

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2604-51733 SRA

Date: 19 June 2026

Attachment 2 Approved Plans and Specifications

GENERAL

1. ALL STRUCTURES DEPICTED HEREIN HAVE BEEN DESIGNED TO COMPLY WITH ALL RELEVANT REGULATIONS AS SET BY STATUTORY AUTHORITIES AND THE PRESCRIBED TIDAL WORKS CODE (SCHEDULE 3 OF THE COASTAL PROTECTION & MANAGEMENT REGULATION 2017).
2. ALL STRUCTURES DEPICTED HEREIN HAVE BEEN DESIGNED IN ACCORDANCE WITH AUSTRALIAN STANDARDS AS1170.0, AS1170.1, AS1170.2, AS1170.4, AS1664.1, AS1720.1, AS2159, AS3600, AS3962 & AS4100. RELEVANT LOCAL COVENANTS, WHERE APPLICABLE, HAVE BEEN CONSIDERED IN THE DESIGN.
3. THE FOLLOWING DESIGN LOADINGS FORM THE BASIS FOR THE DESIGN OF THE STRUCTURES DEPICTED HEREIN -

a. GANGWAY(S) - LIVE LOAD 3.0 kPa OR POINT LOAD 6.25 kN

b. PONTOON LIVE LOAD (FLOTATION) 3.0 kPa OR POINT LOAD 6.25kN, (STABILITY) 1.5 kPa

c. DESIGN WAVE HEIGHT=400mm (ULS)

d. DESIGN STREAM VELOCITY (2% EXCEEDANCE PROBABILITY) - <1.5 m/s MAXIMUM

e. DESIGN WIND LOADING -

f1. WIND REGION C

f2. TERRAIN CATEGORY 1.5

f3. ULTIMATE WIND SPEED V100 = 66m/s (3 sec gust)

f4. SERVICEABILITY WIND SPEED V25 = 45m/s (3 sec gust)

f. DEBRIS LOADS = 1.2m DEEP DEBRIS MAT, OR 0.5 TONNE LOG IMPACT.

g. DESIGN WET BERTH VESSEL A LENGTH = 14.50 m

h. DESIGN WET BERTH VESSEL A BEAM = 4.80 m

i. DESIGN WET BERTH VESSEL A MASS = 18,600 kg

g. DESIGN WET BERTH VESSEL B LENGTH = 14.50 m

h. DESIGN WET BERTH VESSEL B BEAM = 4.80 m

i. DESIGN WET BERTH VESSEL B MASS = 18,600 kg

j. ANCHORAGE PILES (WHERE APPLICABLE) HAVE BEEN DESIGNED ASSUMING INDEPENDENCE FROM ANY ADJACENT REVETMENT STRUCTURES, WITH THE FOLLOWING MIN. SOIL PARAMETERS:

k1. SOIL DENSITY - 1.6 TONNES / CUBIC METRE

k2. UNDRAINED COHESION = 125kPa

k3. INTERNAL FRICTION ANGLE: 36 deg

k4. MINIMUM ALLOWABLE BEARING: 100 kPa

4. MAX 500mm SCOUR.

5. DURING CONSTRUCTION THE STRUCTURE IS TO BE MAINTAINED IN A STABLE CONDITION. NO PART SHALL BE OVERSTRESSED AT ANY TIME. MAX OUT-OF-PLANE TOLERANCE (TRIANGULATION) FOR PILES = 100mm.
- NOTE - IT IS THE OWNERS RESPONSIBILITY TO ENSURE THAT THE VESSEL BEING BERTHED DOES NOT IMPOSE LOADINGS GREATER THAN THE LOADINGS DESCRIBED HEREIN & MAINTAIN THE STRUCTURE IN OPTIMUM WORKING CONDITIONS AT ALL TIMES.
- FLOATATION
1. FREE BOARD HEIGHTS:

a. DEAD LOAD ONLY = 300-500mm

b. CRITICAL FLOTATION/STABILITY CASE = MIN 50 mm.

c. CRITICAL DECK SLOPE = 15 DEG.

d. CHINE IS SUBMERGED AT ALL TIMES

e. POLYSTYRENE FORM TO BE ENCASED IN A HIGH DENSITY POLYETHYLENE MEMBRANE FULLY WELDED AT THE CORNERS AND JOINS TO FORM A COMPLETE SEAL IMPERVIOUS TO WATER AND MARINE ORGANISMS KNOWN TO ATTACH TO SUCH STRUCTURES UNDER TYPICAL CONDITIONS.
- ALUMINIUM
1. ALL ALUMINIUM TO COMPLY WITH AS 1664 AND TO BE (MINIMUM) GRADE 6061 T6 U.N.O.

2. BUTT WELDS, WHERE SPECIFIED, TO HAVE FULL PENETRATION.
- TIMBER
1. ALL TIMBER WORK TO COMPLY WITH AS1720.1 TO BE MINIMUM F17.

2. ALL BOLTED TIMBER CONNECTIONS, WHERE SPECIFIED, TO BE GALVANISED (OR STAINLESS STEEL EQUIVALENT) UNLESS DIRECTED BY THE ENGINEER.
- FIXINGS AND FINISHES
1. ALL FIXINGS TO BE 316 GRADE STAINLESS STEEL UNLESS NOMINATED OTHERWISE.
- CONCRETE
1. ALL CONCRETE WORK TO COMPLY WITH THE REQUIREMENTS OF AS 3600.

2. PONTOON CONCRETE STRENGTH TO BE 50 MPa MARINE GRADE WITH AN 80 mm SLUMP U.N.O.

3. IN-SITU PILE & ABUTMENT BLOCK CONCRETE TO BE 40MPa.

4. MINIMUM COVER TO THE REINFORCEMENT - 50 mm (EXPOSURE CLASS C1) U.N.O.
- STEEL
1. ALL STEEL WORK TO COMPLY WITH AS4100. ALL WELDS TO BE 6mm CONTINUOUS FILLET WELDS U.N.O.

2. ALL STEEL EXPOSED TO BE HOT DIPPED GALVANISED IN ACCORDANCE WITH AS 1650 WITH COATING MASS NOT LESS THAN 600 g/sqm.
- OTHER NOTES
1. IT IS THE OWNERS RESPONSIBILITY TO ENSURE THAT ANY VESSEL BERTHED AT THE STRUCTURE DOES NOT EXCEED THE NOMINATED MAXIMUM DIMENSIONS.

2. IT IS THE OWNERS RESPONSIBILITY TO ENSURE SUFFICIENT WATER DEPTH UNDER THE PONTOON AND FOR VESSEL BERTHING PURPOSES

3. THE PONTOON AND VESSEL MOORED AT THE PONTOON MAY GROUND ON THE RIVER BED AS PER THE DESIGN INTENTION OF THE APPLICANT. THE VESSEL MOORED AT THE PONTOON SHOULD BE A TYPE OF VESSEL INTENDED TO SIT ON THE RIVER BED/BANK (VESSEL SHOULD NOT TIP WHEN GROUNDED AT LOW TIDES). THE CANAL PROFILE IS NOT TO BE ALTERED FROM THE MAINTENANCE PROFILE. DREDGING BELOW THE MAINTENANCE PROFILE IS NOT PERMITTED.
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DANIEL KIMBERLEY
- PROJECT NAME:
NEW COMMERCIAL
USE PONTOON
- PROJECT ADDRESS:
145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA
- DRAWING TITLE:
GENERAL NOTE
- DRAWING NUMBER:
W001
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8 N/A
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DRAWING TITLE:
GENERAL ARRANGEMENT
ELEVATION

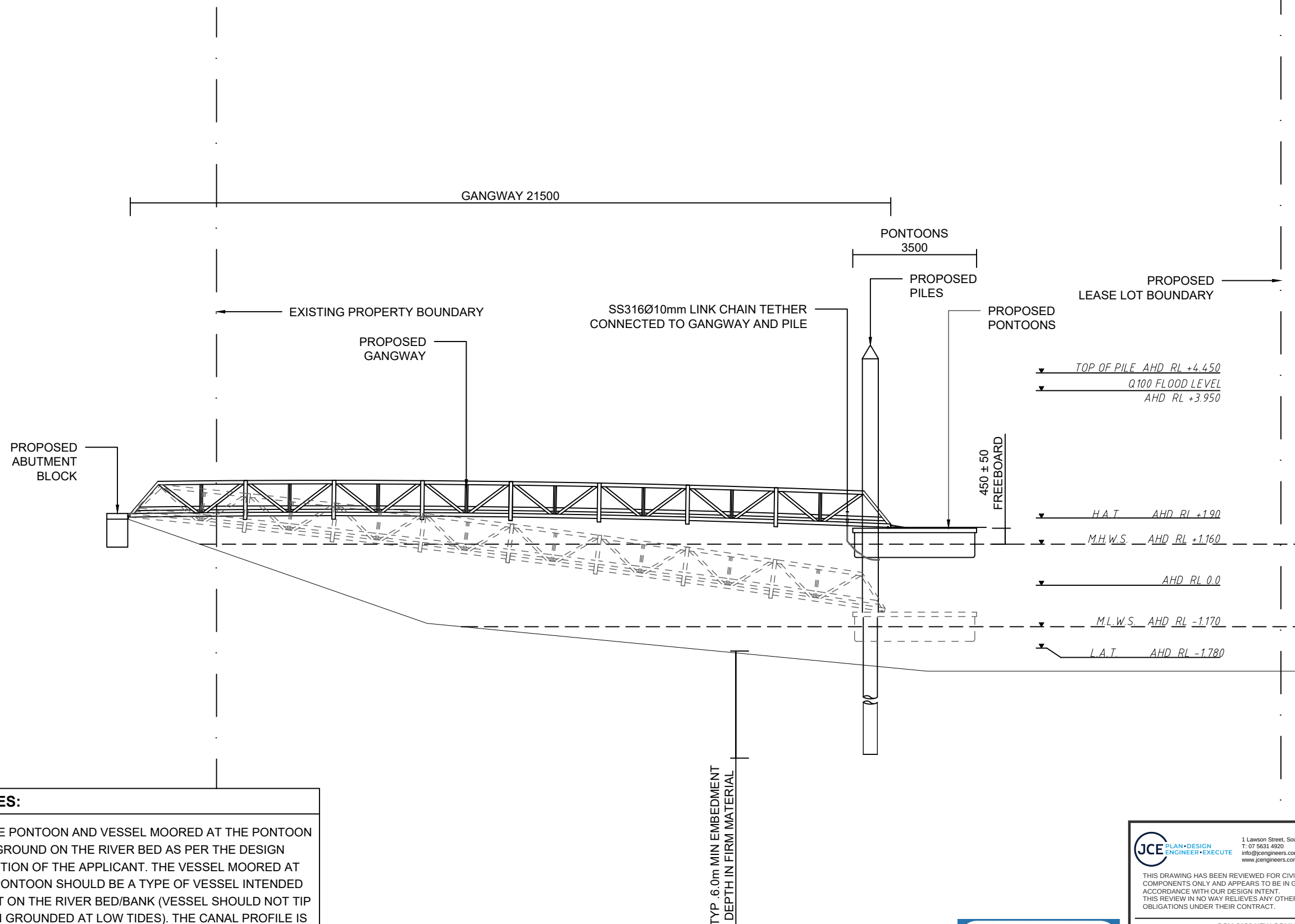
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JCE

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ENGINEER • EXECUTE

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GCM-2136 NEW COMMERCIAL
PROJECT NAME : USE PONTOON

PROJECT No. : GCM017b DATE : 30/06/2026

Brendan Nielsen
(on behalf of J.C.E.)
APPD : Engineers Pty Ltd RPEQ No. : 18317

SIGN :



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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**GENERAL ARRANGEMENT
ELEVATION - Q100 LEVEL**

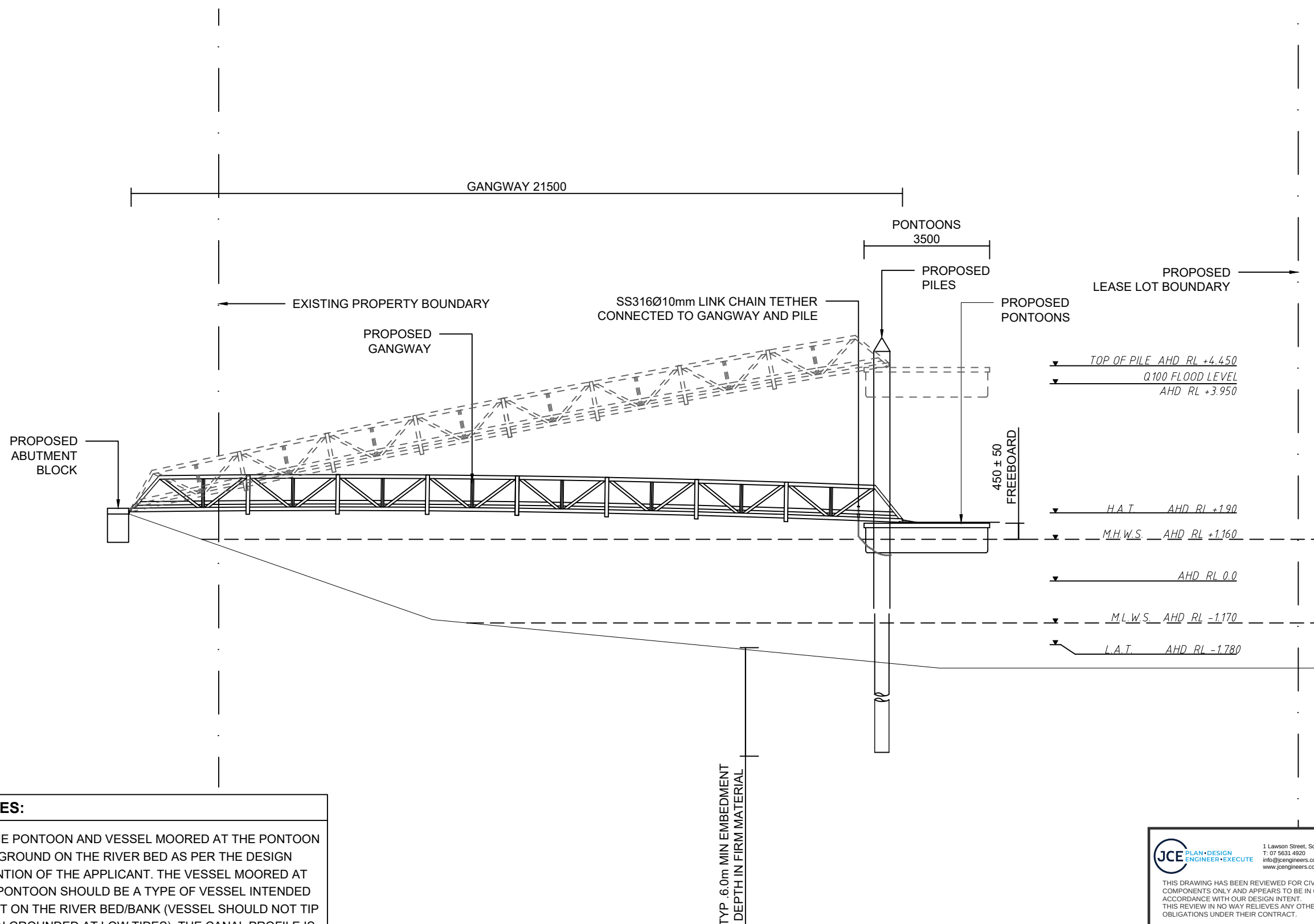
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- NOTES:**
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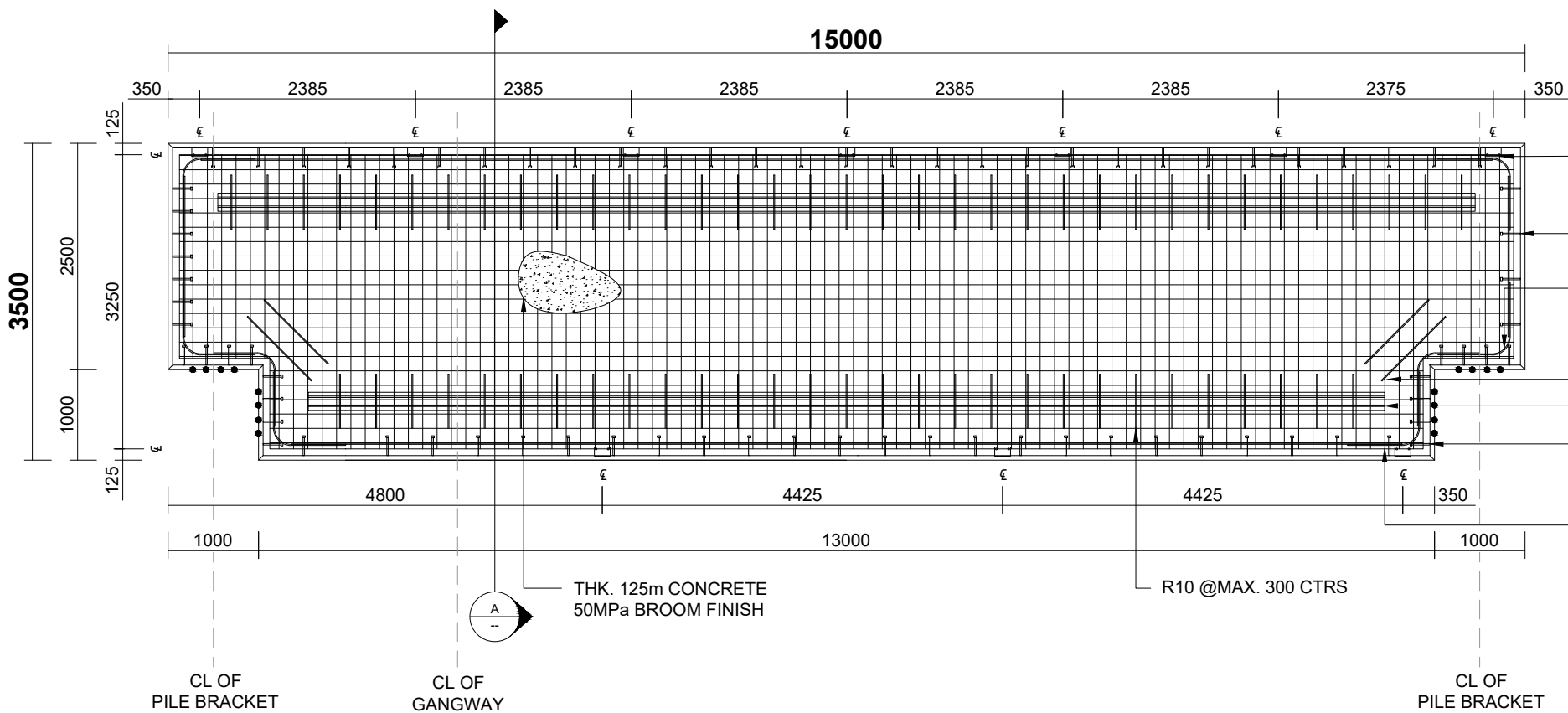


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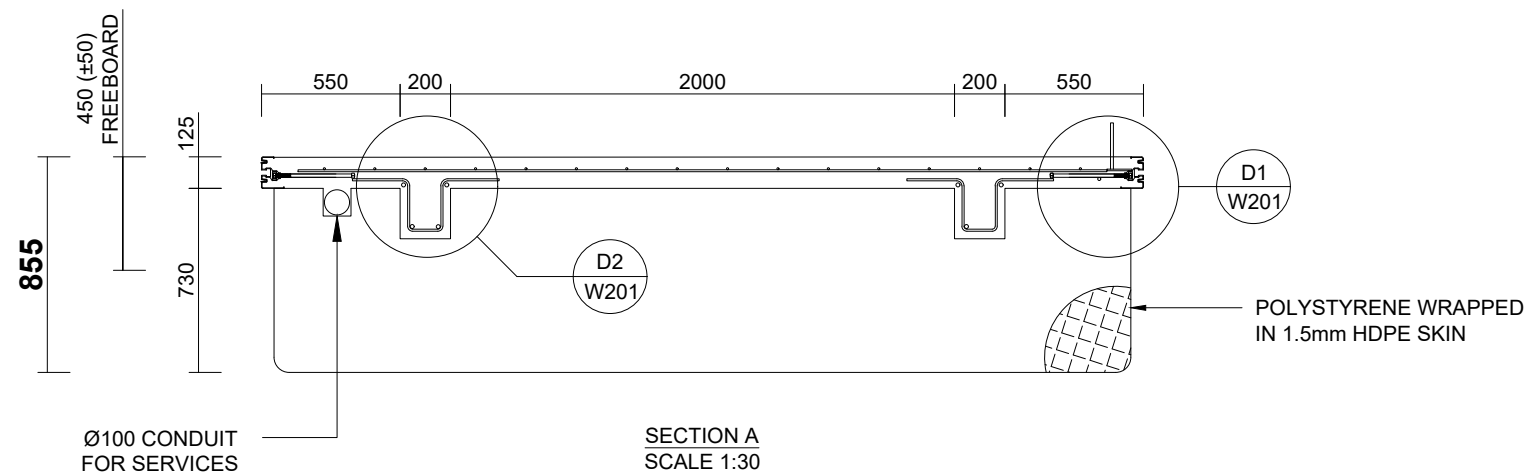
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PROJECT No. : GCM017b DATE : 30/06/2026
Brendan Nielsen
(on behalf of J.C.E.)
APPD : Engineers Pty Ltd RPEQ No. : 18317
SIGN : *[Signature]*

cm³



PLAN VIEW
SCALE 1:80



SECTION A
SCALE 1:30

LEGEND

- M20 BOLTS INSERT TO WHALER BEFORE WELD.

- CLEAT PLATE WELDED TO WHALER SLOT TO FIT 380mm HEAVY DUTY CLEATS
- M16x250 TIE BOLTS @ 500 MAX. CTRS TYPICAL.
- N12 PERIMETER BAR 600 LAP LENGTH & 100mm FROM INSIDE EDGE OF WALER (WELDED UNDER TIE RODS)
- NO. 2 N12 N1000 TRIMMER BAR
- 2 NO. N16 BAR & 2 NO. N12 BAR
- M16x250 TIE BOLTS @ 250 MAX. CTRS TYPICAL.
- SL82 MESH (WELDED TO TOP OF TIE BOLTS) 450 LAP LENGTH FOR MESH & 50mm FROM INSIDE EDGE OF WALER
- 50-65mm BAR CHAIRS AT 800mm SPACING



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USE PONTOON

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DRAWING TITLE:
PONTOON A FRAME DETAILS

DRAWING NUMBER:
W201

REVISION: 8 SCALE: AS SHOWN@A3

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GPC Gladstone Ports Corporation

APPROVED

Name: Trudi Smith
Date: 10:02 am, 30/07/2026

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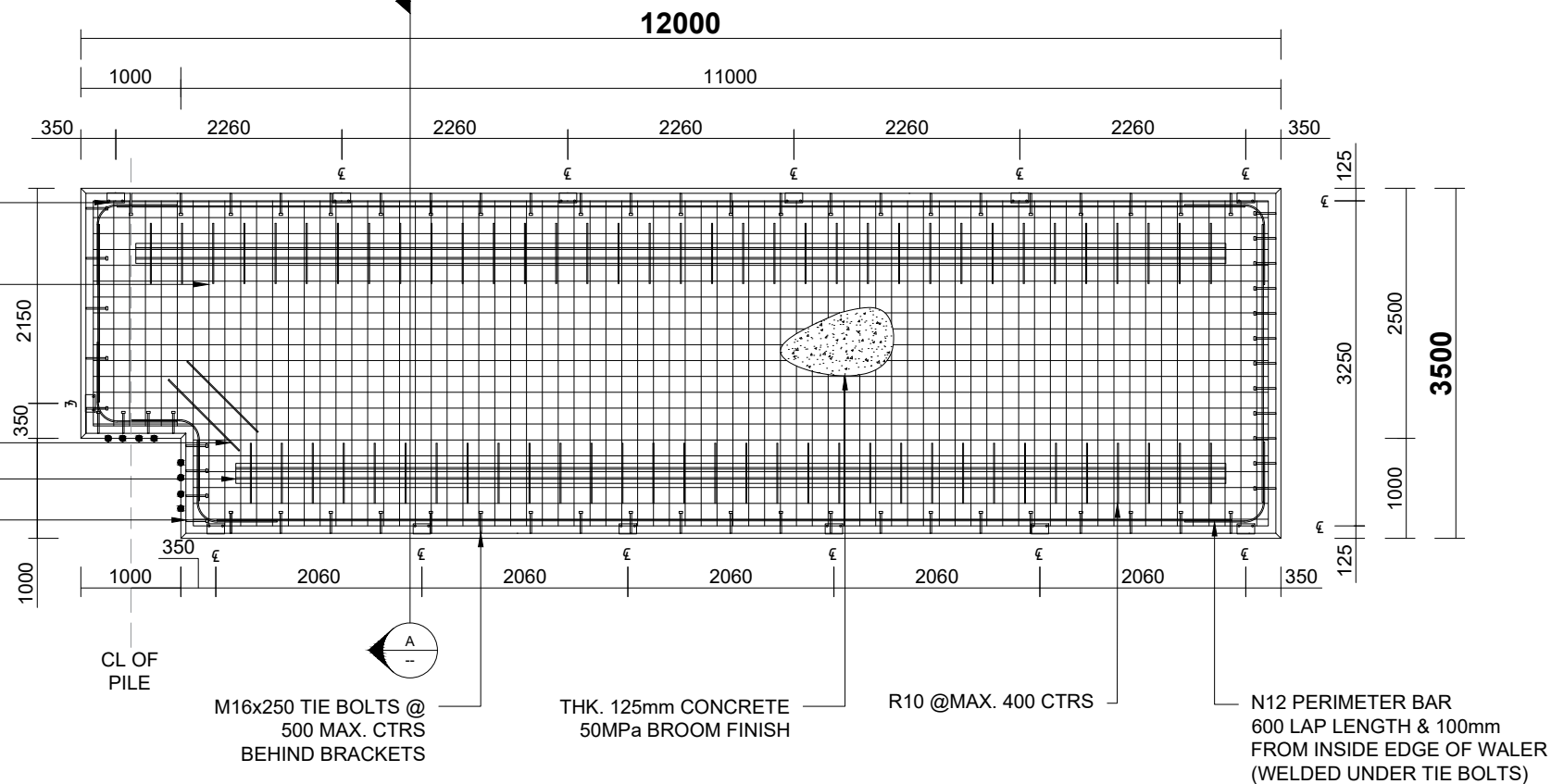
GCM-2136 NEW COMMERCIAL
PROJECT NAME : USE PONTOON
PROJECT No. : GCM017b DATE : 30/06/2026
Brendan Nielsen (on behalf of J.C.E.)
APPD : Engineers Pty Ltd RPEQ No. : 18317
SIGN :

CLEAT PLATE WELDED TO WHALER SLOT TO FIT 380mm HEAVY DUTY CLEATS
SL82 MESH (WELDED TO TOP OF TIE BOLTS) 450 LAP LENGTH & 50mm FROM INSIDE EDGE OF WALER

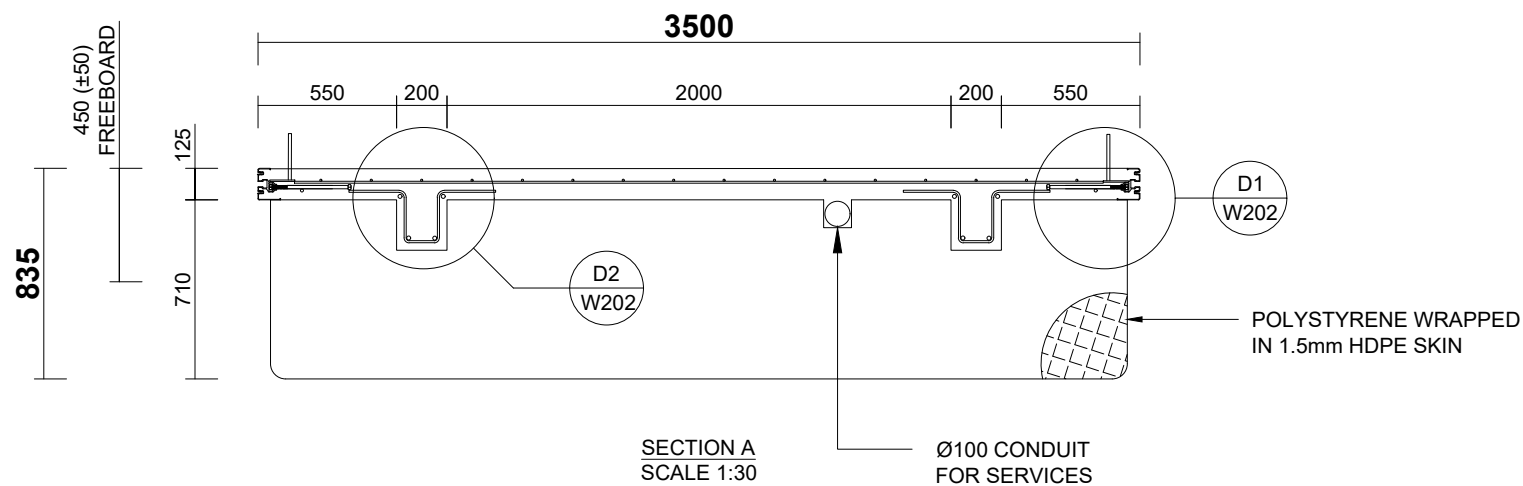
50-65mm BAR CHAIRS AT 800mm SPACING

NO. 2 N12 N1000 TRIMMER BAR
2 NO. N16 BAR & 2 NO. N12 BAR

M16x250 TIE BOLTS @ 250 MAX. CTRS BEHIND BRACKETS



PLAN VIEW
SCALE 1:70



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PROJECT ADDRESS:
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4670 QLD AUSTRALIA**

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PONTOON B FRAME DETAILS

DRAWING NUMBER:
W202

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8 AS SHOWN@A3

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APPROVED

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Date: 10:02 am, 30/07/2026



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PONTOON FRAME DETAILS

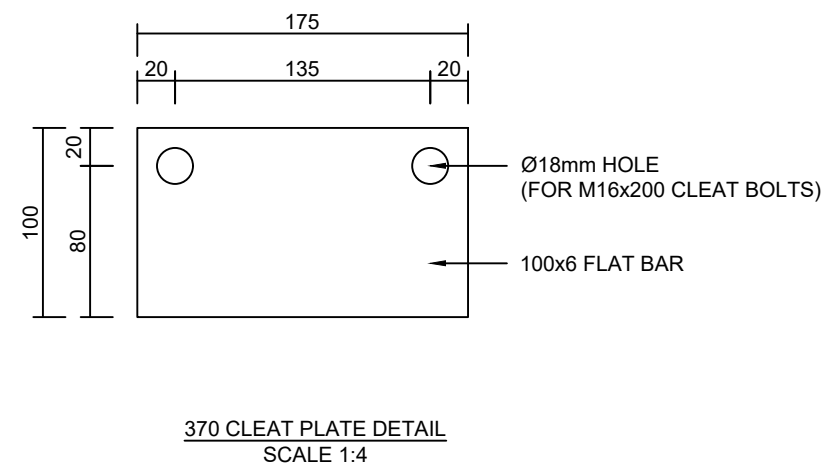
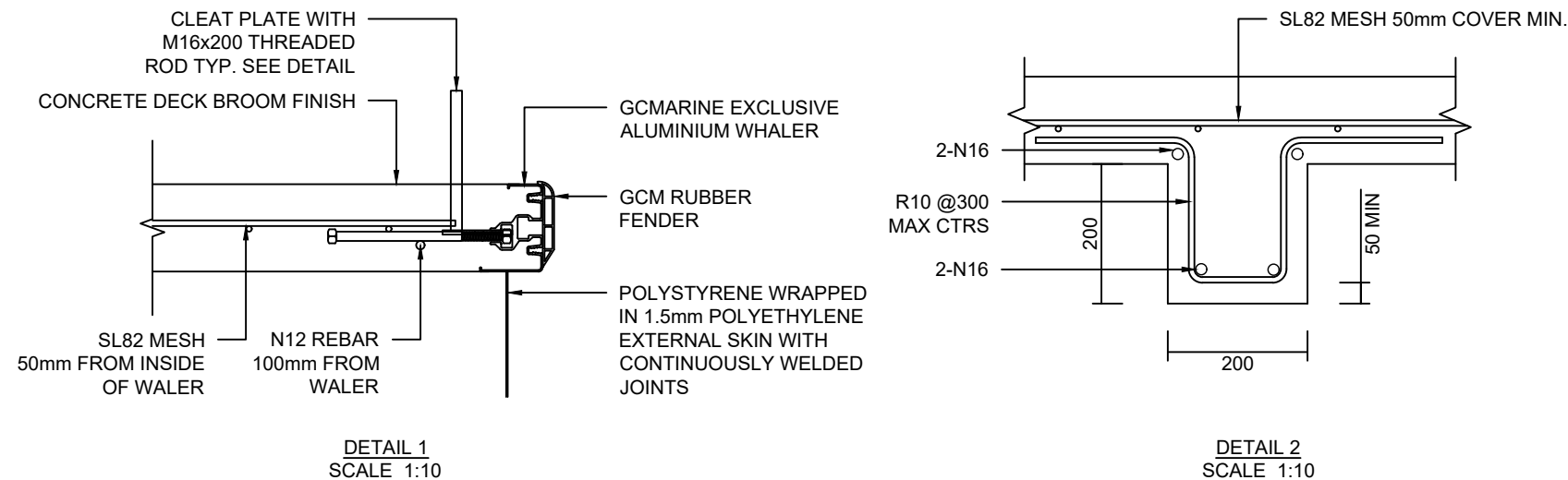
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REVISION: SCALE:
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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
PONTOON A VOID DETAILS

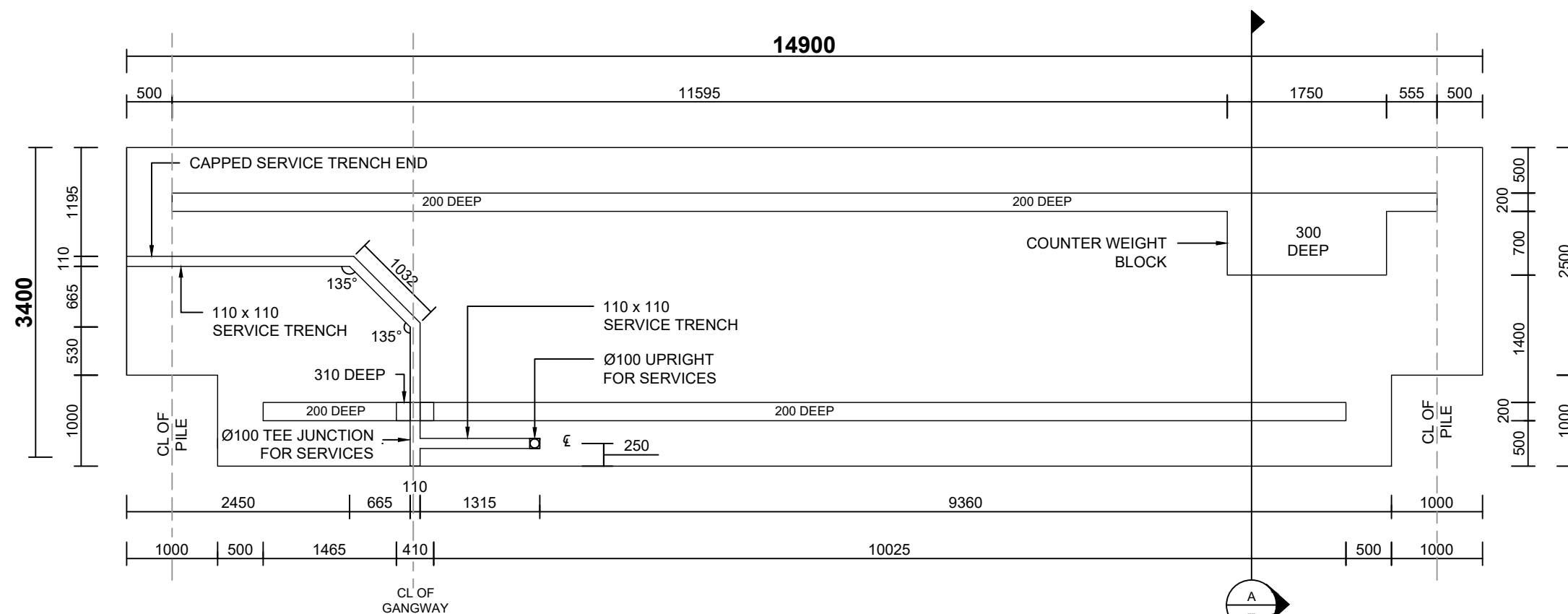
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REVISION: SCALE:
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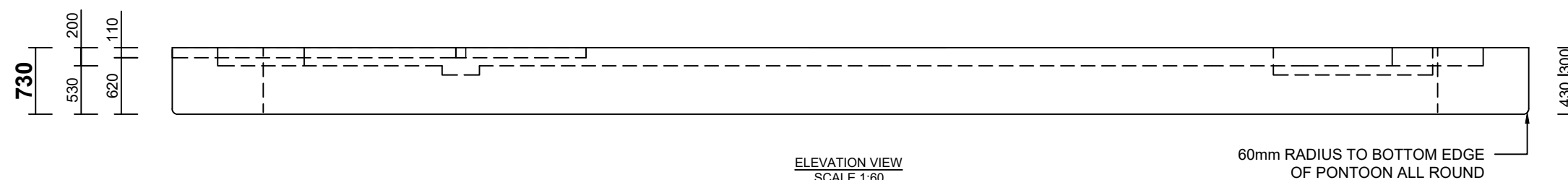
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2	R.W.	12.11.25	GPC PROPOSAL
3	R.W.	29.01.25	ISSUE FOR RPEQ
4	R.W.	18.02.26	PONTOON B FOR RPEQ
5	R.W.	02.03.26	REPOSITIONED
6	R.W.	26.03.26	GPC FEEDBACK
7	C.S.	25.05.26	SUBLEASE + ABUTMENT
8	R.W.	26.06.26	ABUTMENT + VOID

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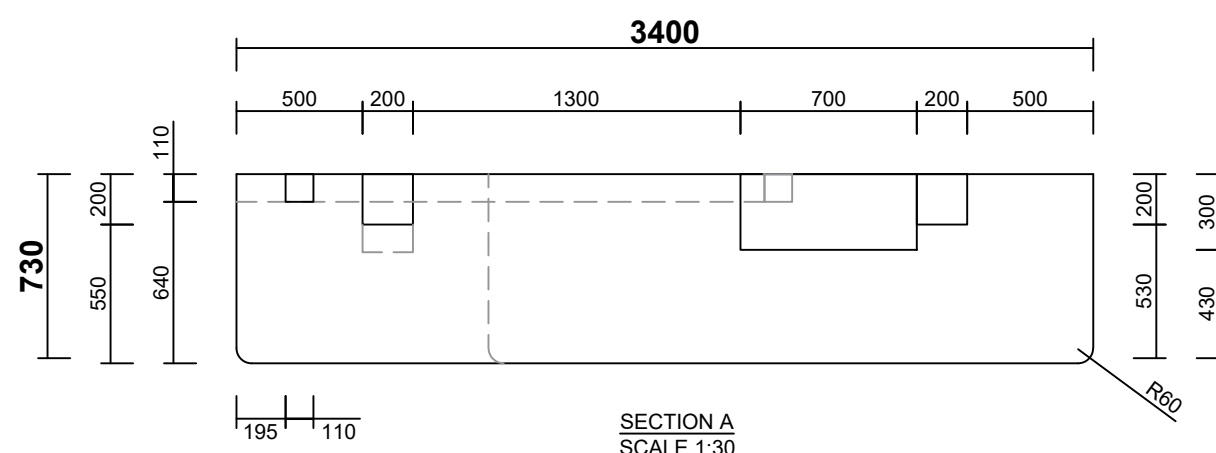
GCM-2136



PLAN VIEW
SCALE 1:60



ELEVATION VIEW
SCALE 1:60



SECTION A
SCALE 1:30



APPROVED

Name: Trudi Smith
Date: 10:02 am, 30/07/2026

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ENGINEER+EXECUTE
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PROJECT NAME : GCM-2136 NEW COMMERCIAL USE PONTOON
PROJECT No. : GCM017b DATE : 30/06/2026

Brendan Nielsen
(on behalf of J.C.E.)
APPD : Engineers Pty Ltd RPEQ No. : 18317

SIGN : *[Signature]*



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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
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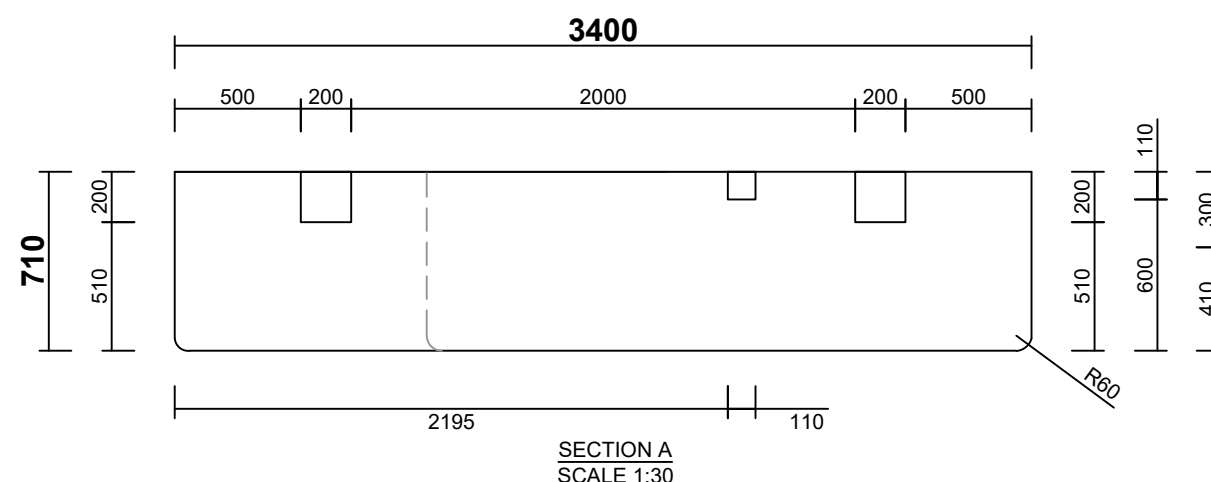
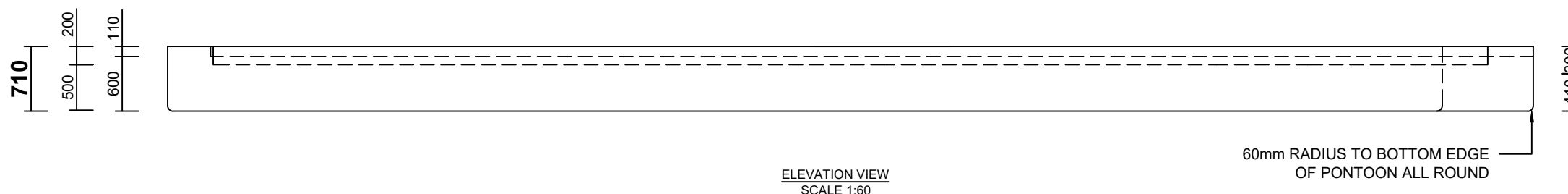
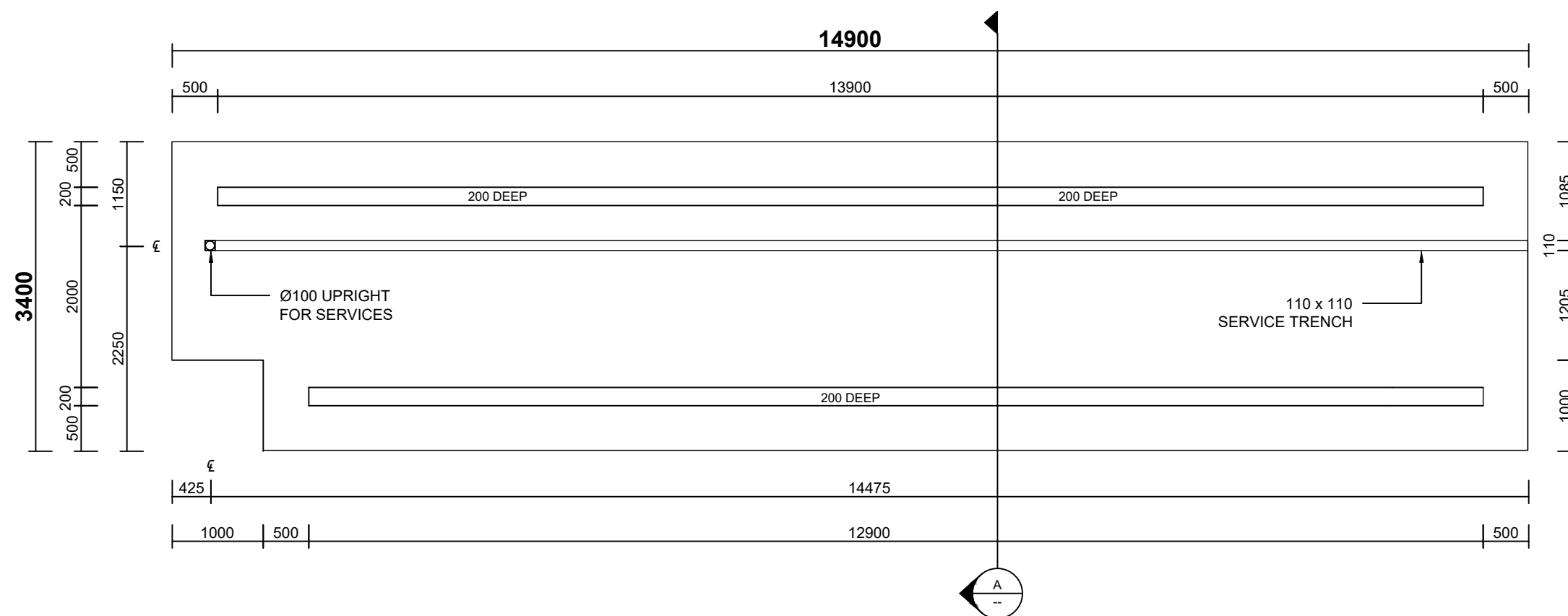
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3	R.W.	29.01.25	ISSUE FOR RPEQ
4	R.W.	18.02.26	PONTOON B FOR RPEQ
5	R.W.	02.03.26	REPOSITIONED
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8	R.W.	26.06.26	ABUTMENT + VOID

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GCM-2136 NEW COMMERCIAL
PROJECT NAME : USE PONTOON

PROJECT No. : GCM017b DATE : 30/06/2026

Brendan Nielsen
(on behalf of J.C.)
APPD : Engineers Pty Ltd RPEQ No. : 18317

SIGN :

GPC

Gladstone Ports
Corporation

APPROVED

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Date: 10:03 am, 30/07/2026

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DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**GANGWAY DETAILS
1 OF 3**

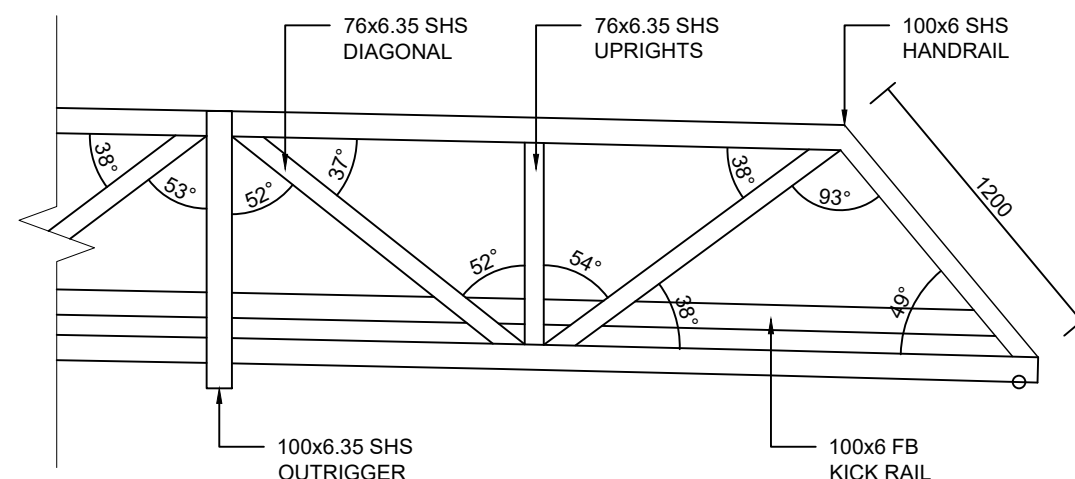
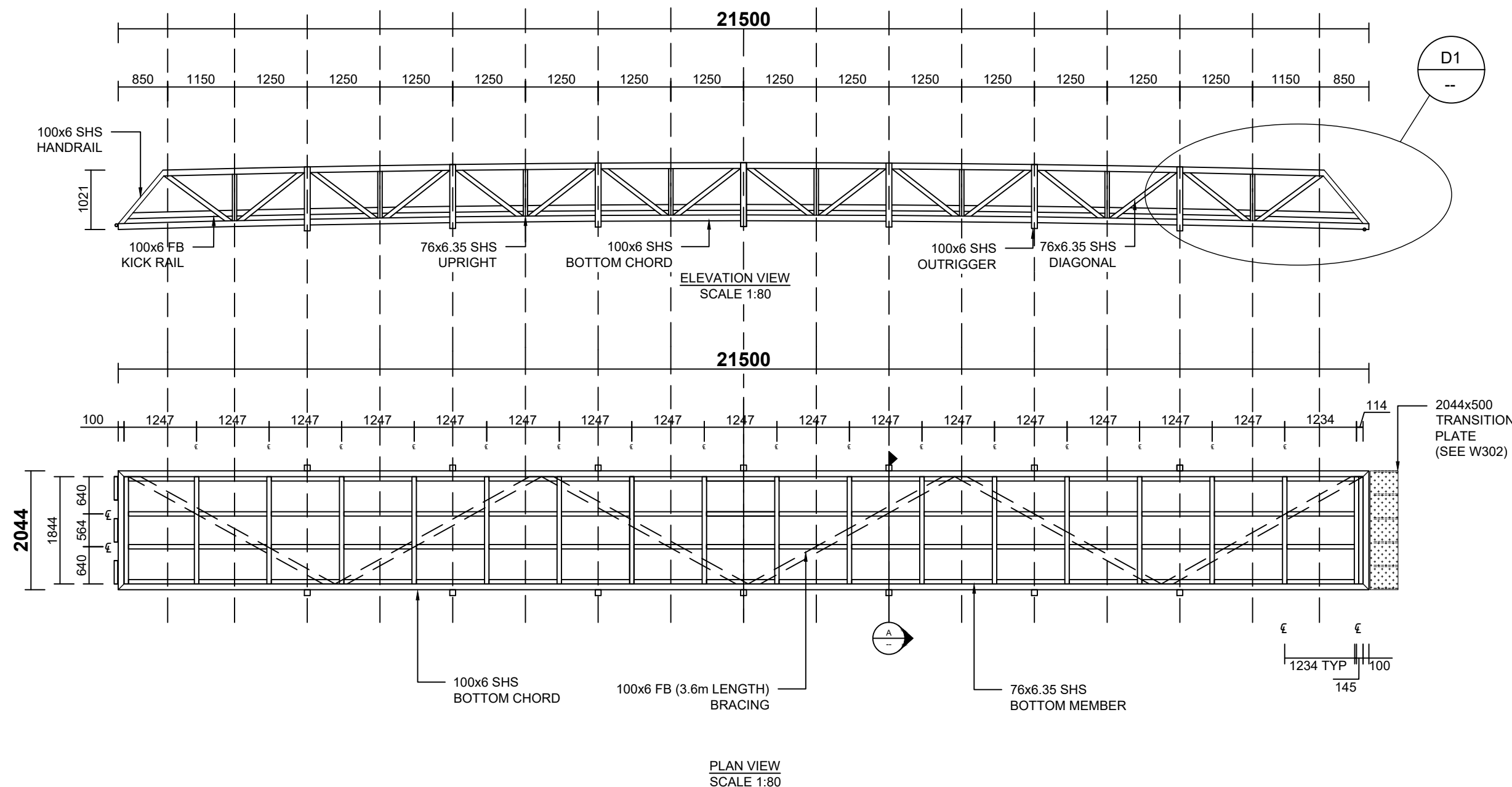
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REVISION: SCALE:
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7	C.S.	25.05.26	SUBLEASE + ABUTMENT
8	R.W.	26.06.26	ABUTMENT + VOID

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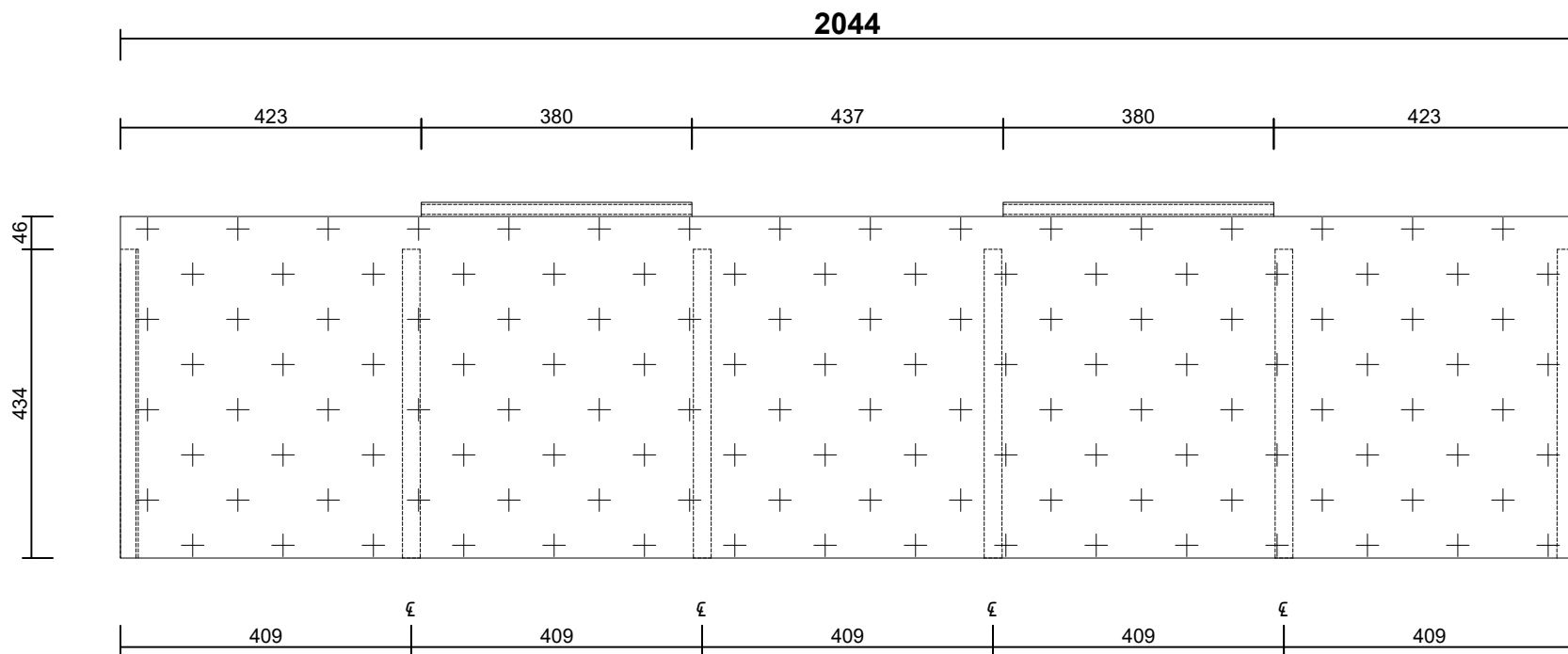
DETAIL 1
SCALE 1:30

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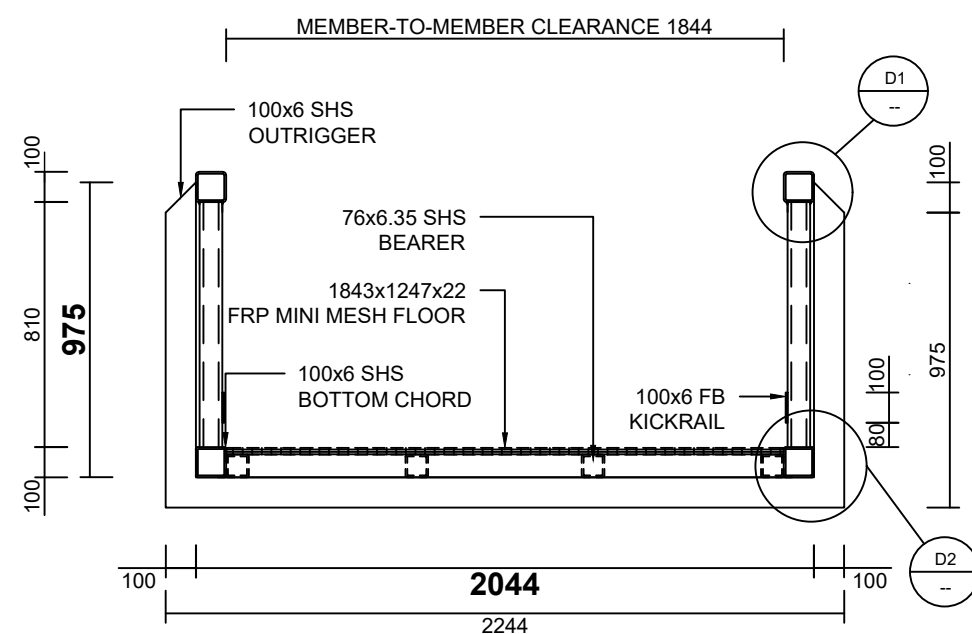
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GCM-2136 NEW COMMERCIAL
PROJECT NAME : USE PONTOON
PROJECT No. : GCM017b DATE : 30/06/2026
Brendan Nielsen
(on behalf of J.C.E.)
APPD : Engineers Pty Ltd RPEQ No. : 18317
SIGN : 

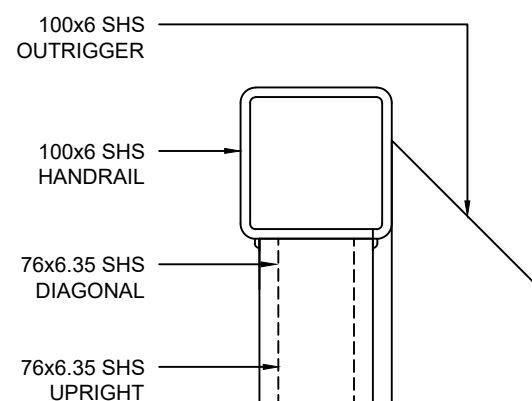




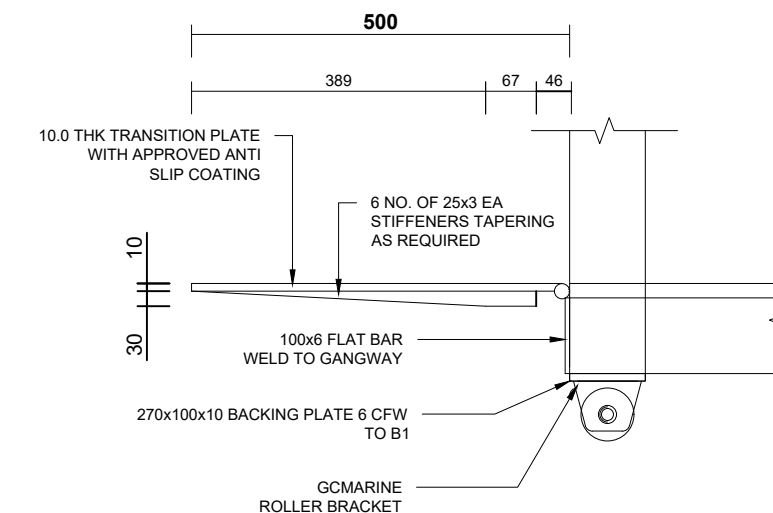
TRANSITION PLATE PLAN VIEW
SCALE 1:10



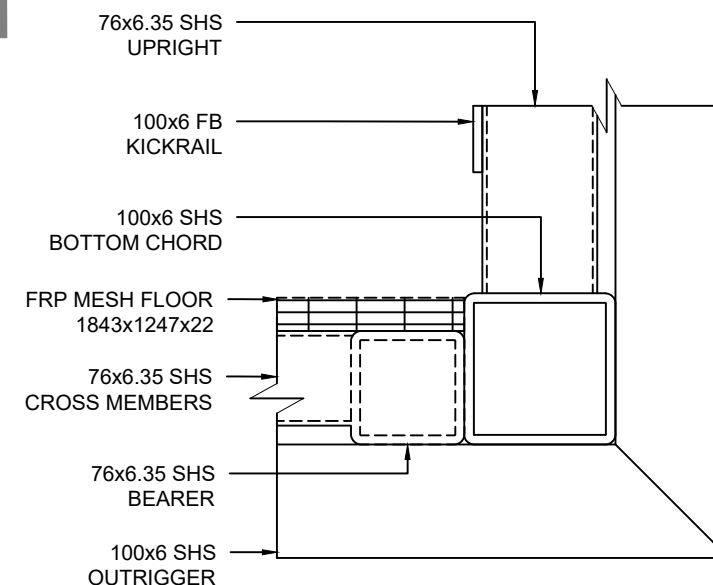
SECTION A
SCALE 1:25



DETAIL 1
SCALE 1:5



TRANSITION PLATE SECTION VIEW
SCALE 1:10



DETAIL 2
SCALE 1:5



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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
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USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**GANGWAY DETAILS
2 OF 3**

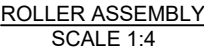
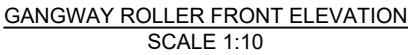
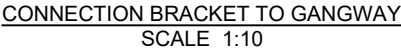
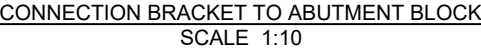
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2	R.W.	12.11.25	GPC PROPOSAL
3	R.W.	29.01.25	ISSUE FOR RPEQ
4	R.W.	18.02.26	PONTOON B FOR RPEQ
5	R.W.	02.03.26	REPOSITIONED
6	R.W.	26.03.26	GPC FEEDBACK
7	C.S.	25.05.26	SUBLEASE + ABUTMENT
8	R.W.	26.06.26	ABUTMENT + VOID

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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
NEW COMMERCIAL
USE PONTOON

PROJECT ADDRESS:
145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA

DRAWING TITLE:
GANGWAY DETAILS
3 OF 3

DRAWING NUMBER:
W303

REVISION: 8 SCALE: AS SHOWN@A3

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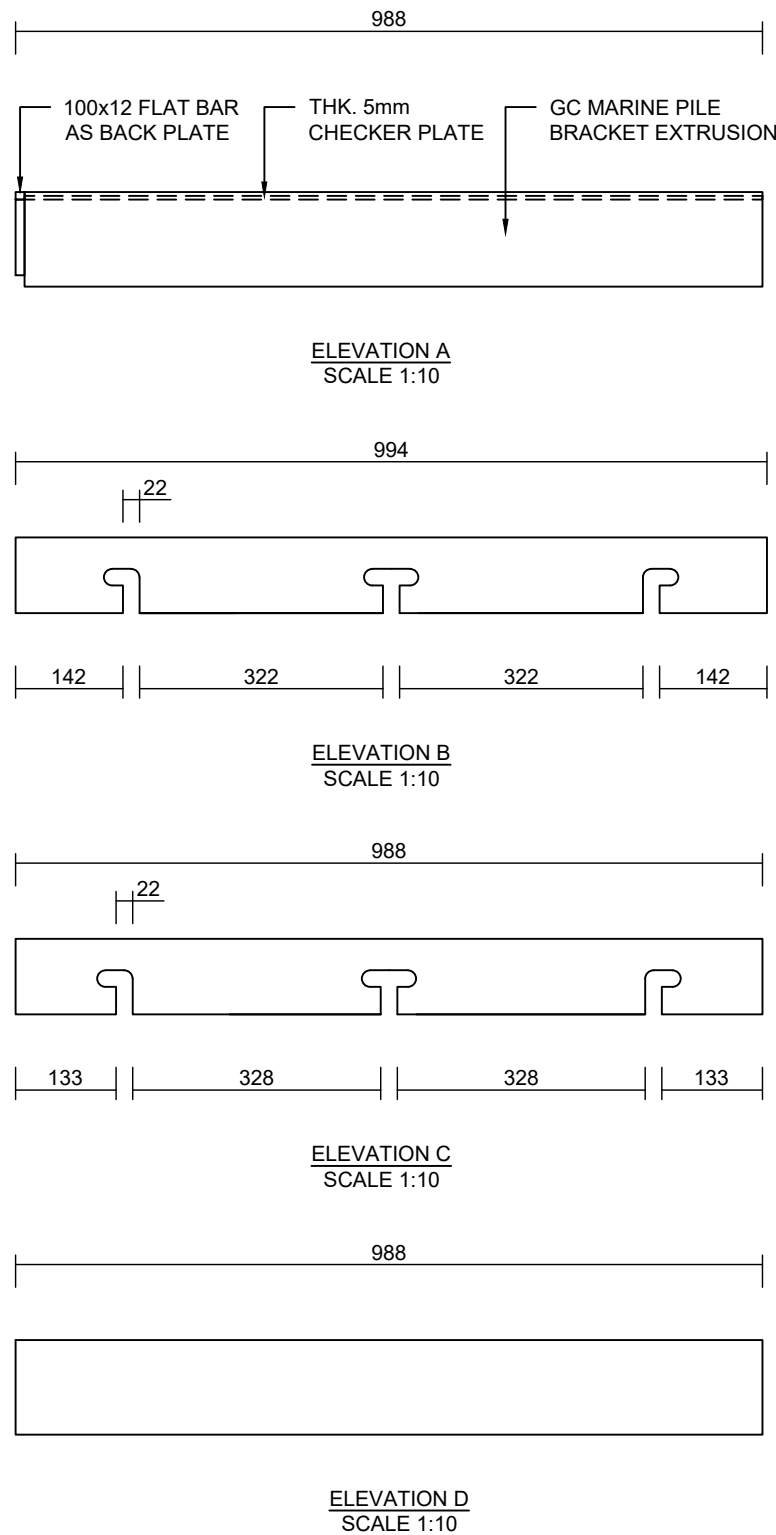
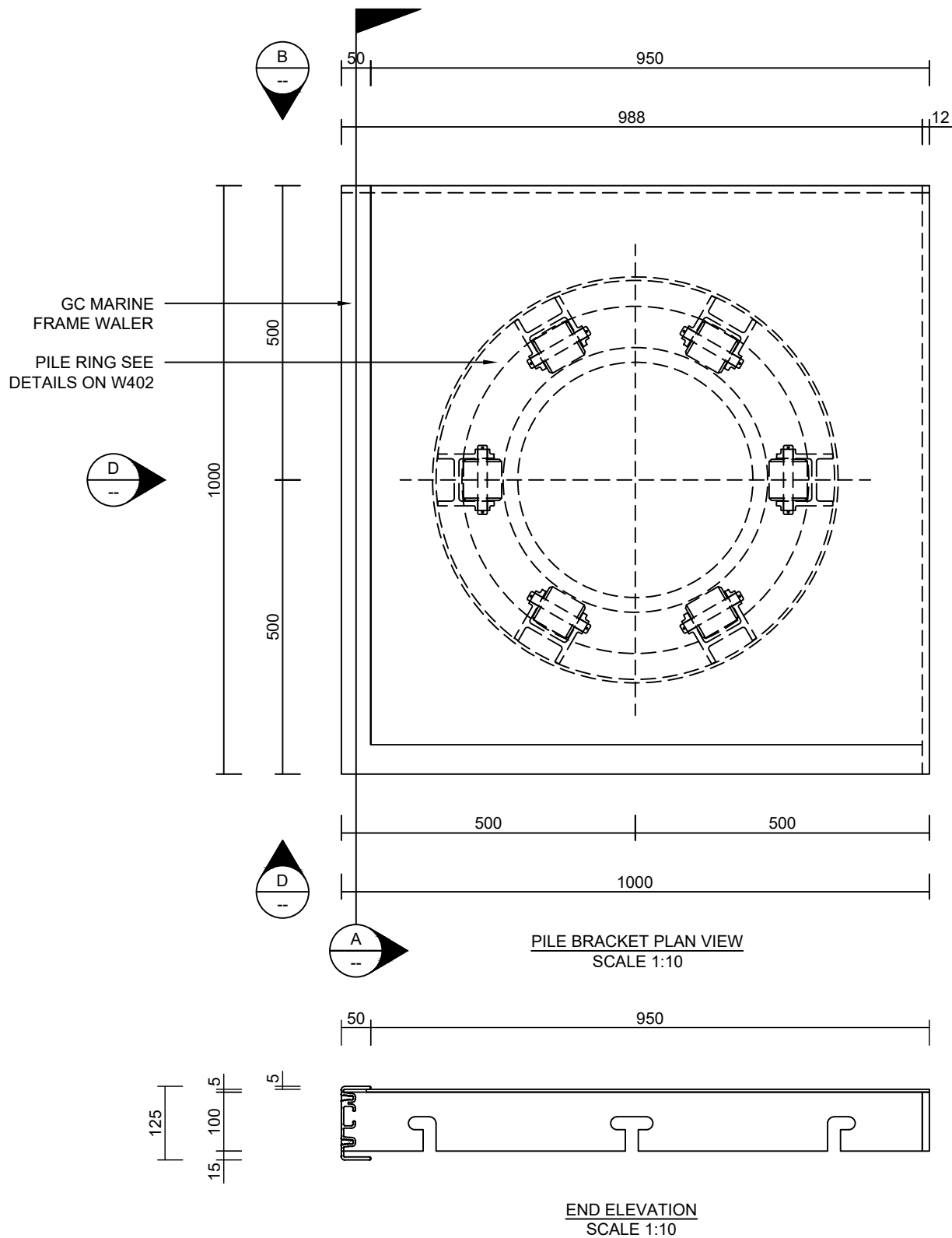
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GCM-2136 NEW COMMERCIAL
PROJECT NAME : USE PONTOON
PROJECT No. : GCM017b DATE : 30/06/2026

Brendan Nielsen
(on behalf of J.C.)
APPD : Engineers Pty Ltd RPEQ No. : 18317

SIGN :



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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**INTERNAL PILE BRACKET
DETAILS**

DRAWING NUMBER:
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8	R.W.	26.06.26	ABUTMENT + VOID

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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
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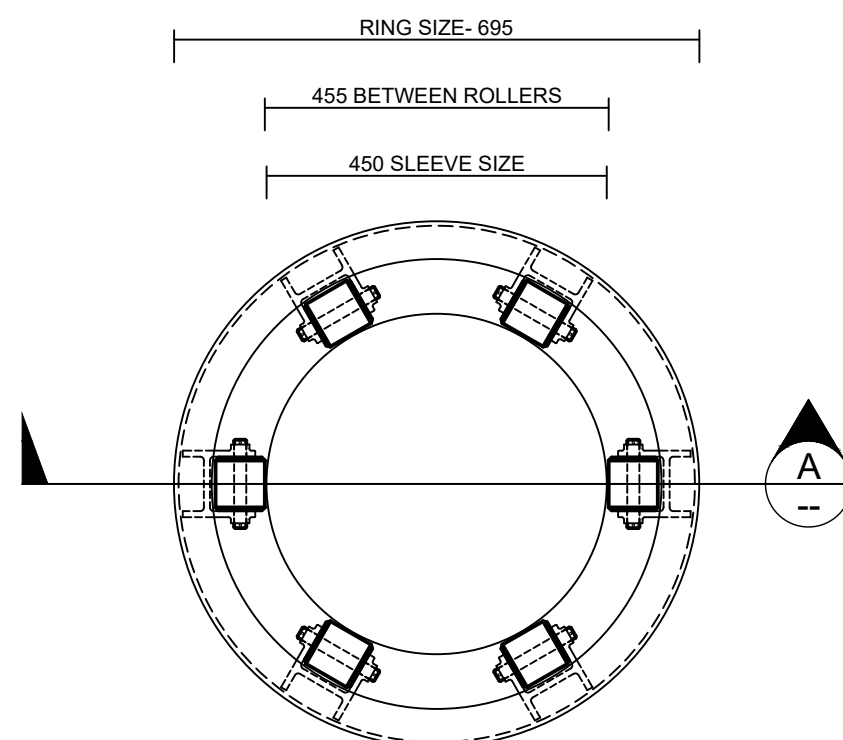
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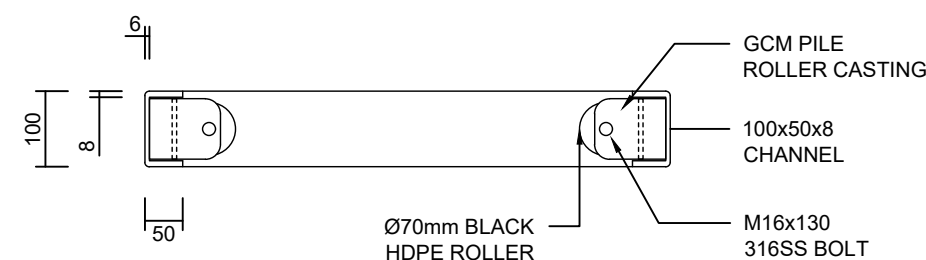
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PLAN VIEW
SCALE 1:10



DETAIL A - ELEVATION VIEW
SCALE 1:10

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PROJECT NAME : GCM-2136 NEW COMMERCIAL USE PONTOON	
PROJECT No. : GCM017b	DATE : 30/06/2026
Brendan Nielsen (on behalf of J.C.E.)	
APPD : Engineers Pty Ltd	RPEQ No. : 18317
SIGN :	

GPC Gladstone Ports Corporation

APPROVED

Name: Trudi Smith

Date: 10:04 am, 30/07/2026



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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**ELASTOMERIC HINGE
DETAILS**

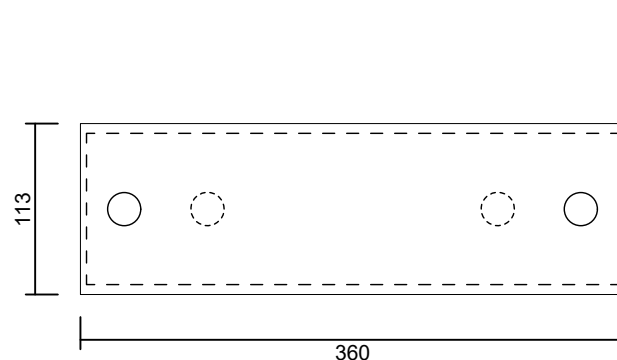
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REVISION: SCALE:
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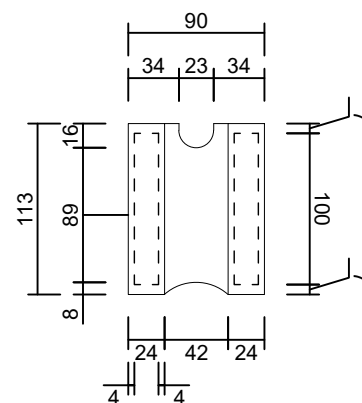
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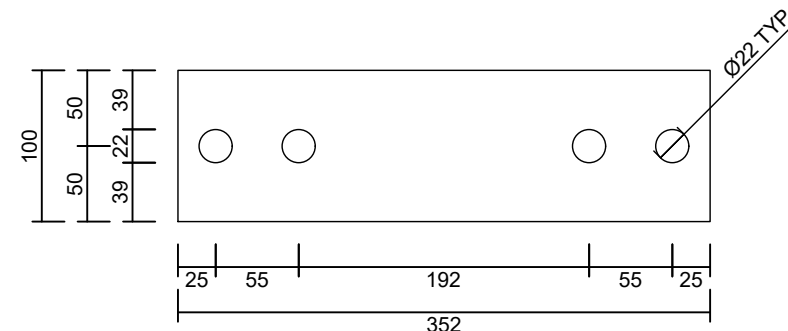
GCM-2136



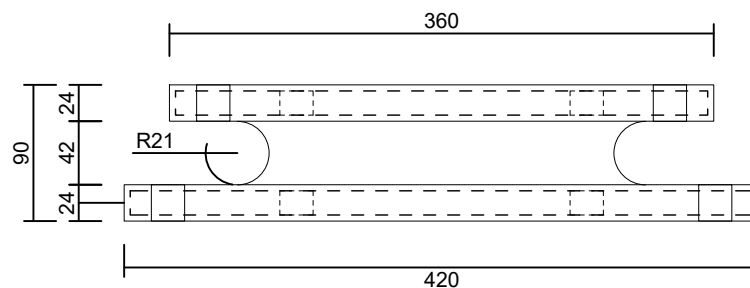
ELEVATION VIEW
SCALE 1:5



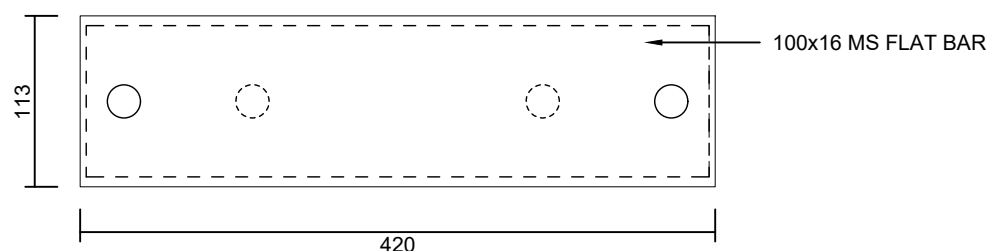
SIDE ELEVATION VIEW
SCALE 1:5



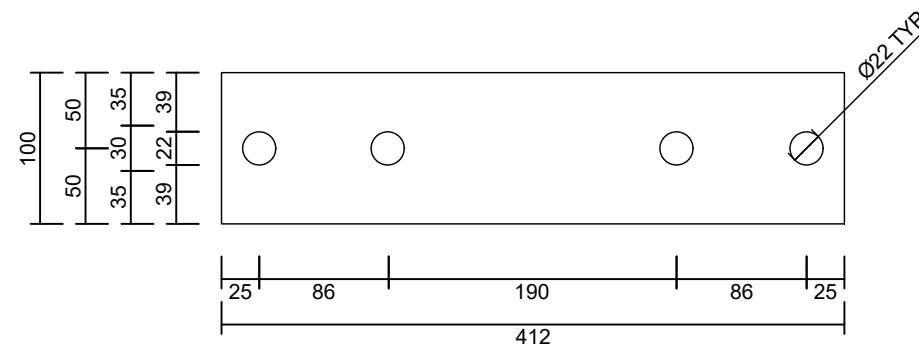
ELEVATION VIEW
SCALE 1:5



PLAN VIEW
SCALE 1:5



ELEVATION VIEW
SCALE 1:5



ELEVATION VIEW
SCALE 1:5





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CLIENT:
DANIEL KIMBERLEY

PROJECT NAME:
**NEW COMMERCIAL
USE PONTOON**

PROJECT ADDRESS:
**145 BUSS STREET
BURNETT HEADS
4670 QLD AUSTRALIA**

DRAWING TITLE:
**GANGWAY ABUTMENT
DETAILS**

DRAWING NUMBER:
W501

REVISION: SCALE:
8 AS SHOWN@A3

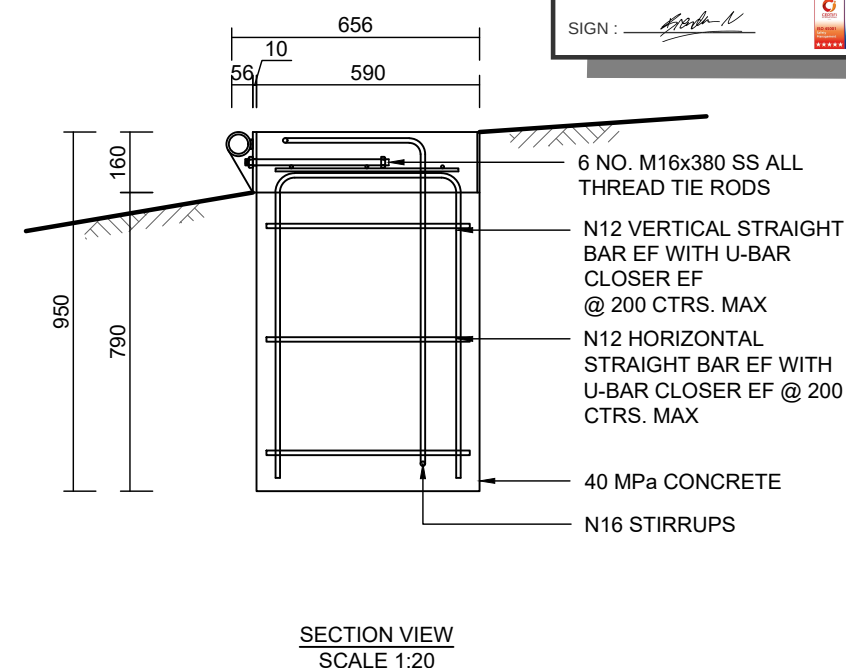
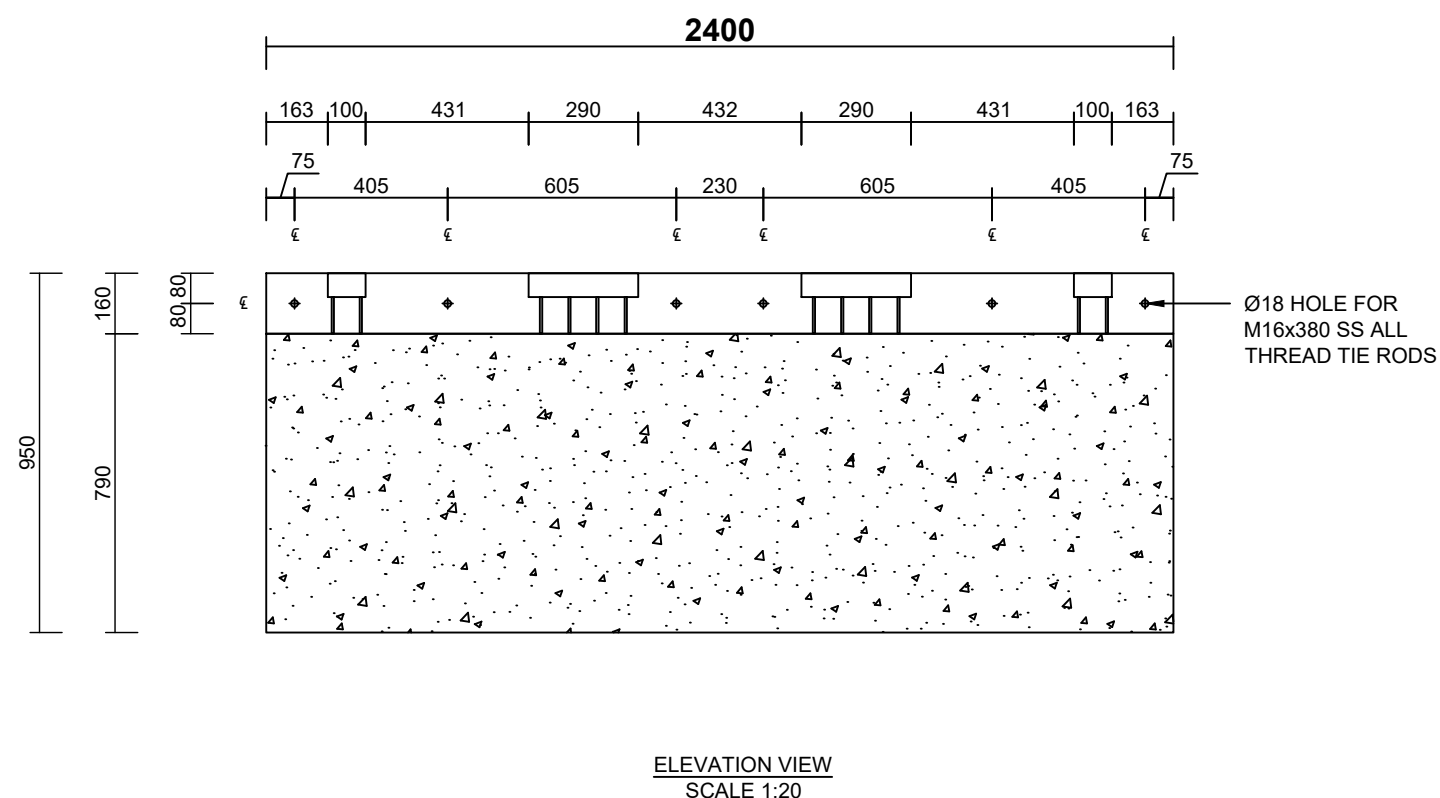
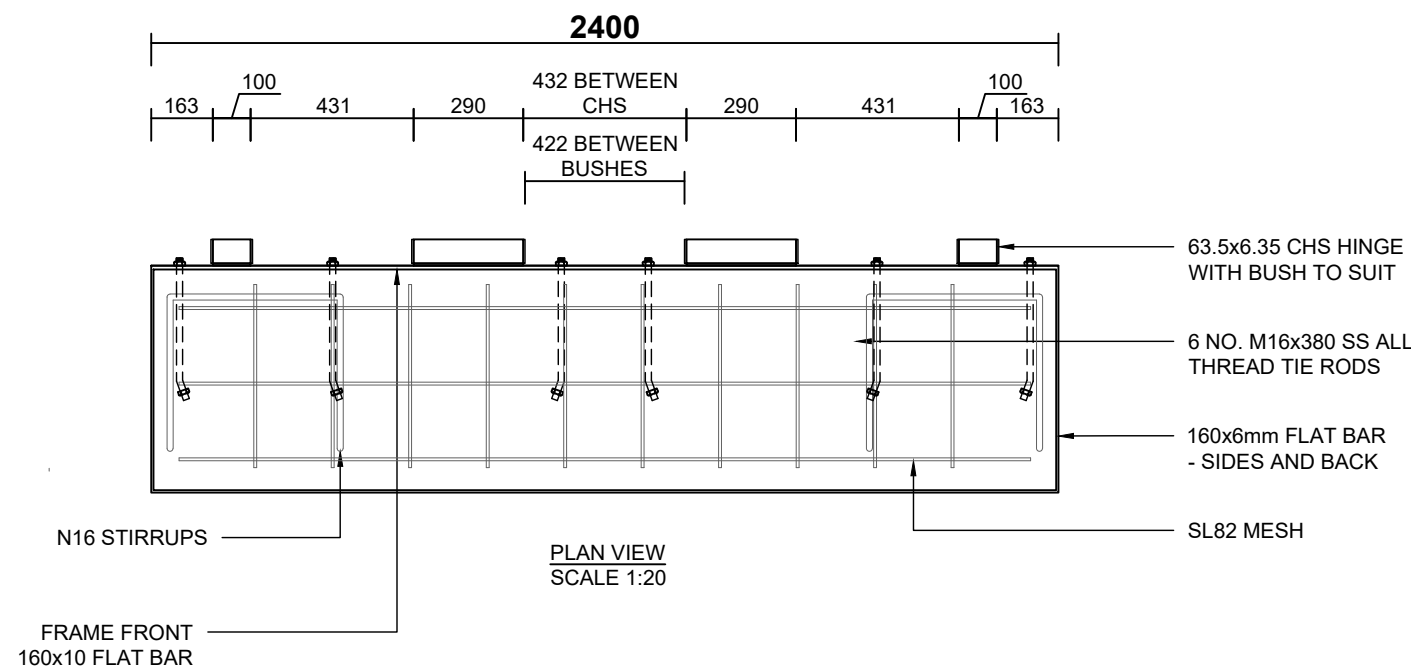
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NOTES:

- ABUTMENT BLOCK SHALL BE FOUNDED ON COMPETENT NATURAL MATERIAL OR APPROVED ENGINEERED FILL WITH MINIMUM ALLOWABLE BEARING CAPACITY OF 100 kPa.
- REMOVE ALL SOFT, LOOSE, ORGANIC, UNCONTROLLED OR ERODIBLE MATERIAL PRIOR TO PLACEMENT.
- PROVIDE SCOUR / EROSION PROTECTION AS REQUIRED TO MAINTAIN FULL FOUNDATION SUPPORT.
- FOUNDATION SUITABILITY, SCOUR CONDITION AND FINAL FOUNDING LEVEL SHALL BE CONFIRMED ON SITE BY THE BUILDER / PROJECT ENGINEER PRIOR TO CONCRETE PLACEMENT.



Monsoon Aquatics Pty. Ltd

Operational Environmental Management Plan

Keppeluna

UVI 415621



Attachment 3 Extract of Appeal Provisions

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

- (a) the P&E court; or
- (b) a tribunal.

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.

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.

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

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

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager
4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds— (a) the notice involved an error relating to— (i) the application of the relevant adopted charge; or <i>Examples of errors in applying an adopted charge—</i> • 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.			

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

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the 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	—	—

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

Table 2
Appeals to the P&E Court only

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

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)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

4. Compensation claims

An appeal may be made against—

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

Table 2 Appeals to the P&E Court only			
Column 1 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	—	—
5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 A person given a decision notice about the decision 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 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	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises

Table 2
Appeals to the P&E Court only

6. Local laws

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

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

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

Table 3
Appeals to a tribunal only

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.

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

Table 3
Appeals to a tribunal only

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

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

Attachment 4 Right of Appeal Waiver

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

GPC Reference: DA2026/02/01
Property Address: 145 Buss 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 2016*.

Applicant's Name: _____

Signature: _____

Date: ____/____/____