

22 February 2019

Joe O'Carroll Caltex Australia Petroleum Pty Ltd PO Box 794 WYNNUM QLD 4178

Dear Joe.

# DEVELOPMENT APPROVAL FOR OPERATIONAL WORK ON LAND DESCRIBED AS LOT 63 ON SP143358, AT THE PORT OF MACKAY

NQBP Reference: PL/04/02/00006

North Queensland Bulk Ports Corporation Ltd (NQBP) wish to advise that following representations made by Caltex, in relation to construction of a fuel products pipeline along Wharf 3 at the Port of Mackay, a negotiated decision notice has fianlised on 22 February 2019.

Approval has been given with respect to operational works being tidal works under the Planning Act 2016.

You are strongly advised to read and familiarise yourself with each of the enclosures applicable to this approval, including the attached referral agency response.

If you have any queries regarding the approvals package, please contact the undersigned.

Yours sincerely

juliek@nqb

Digitally signed by
Juliek@nqbp.com.au
DN: cn=Juliek@nqbp.com.au
Date: 2019.02.22 12:26:13 +10'00'

Julie Keane

# Principal, Development Advisor

Telephone: (07) 3011 7912 Email: JKeane@nqbp.com.au

Doc reference: E19/00711

Fnc: Negotiated Decision notice issued under to s 63 of the Planning Act 2016

Approved drawings

Cc: Referral agency - Department of State Development, Manufacturing, Infrastructure and Planning

Local government - Mackay Regional Council

BRISBANE OFFICE GPO Box 409 Brisbane Queensland 4001

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P 07 4969 0700 F 07 4969 0799 nqbp.com.au info@nqbp.com.au Level 1, Waterfront Place, Mulherin Drive Mackay Harbour Queensland is the Hegistered Office of:

NORTH QUEENSLAND BULK PORTS CORPORATION LIMITED

ACN 136 880 218 . ABN 36 136 880 218

PORTS CORPORATION OF QUEENSLAND LIMITED ACN 126 302 994 \* ABN 49 657 447 879

MACKAY PORTS LIMITED

ACN 131 965 707 . ABN 69 131 965 707



# **Negotiated Decision Notice**

Planning Act 2016 s.63

# 1. Details of approval

Applicant name:	Caltex Australia Petroleum Pty Ltd		
Approved development:	Operational work being tidal works assessable under		
	Schedule 10, Part 17, Division 1 Section 28 (1)(a).		
	Comprising the construction of a 350 mm fuel products		
	pipeline along an existing wharf deck.		
Date of decision	22/02/2019		
Aspect of development:	☐ Material change of use		
	Reconfiguring a lot		
	□ Operational work		
	☐ Building work		
Decision:	☐ Preliminary approval only (with conditions)		
	☐ Part approval only (with conditions)		
	☐ Part approval only (without conditions)		

# 1. Property description of proposed development

Port:	MACKAY
Street address:	Ken White Avenue, Mackay
Real property description:	Lot 63 on SP143358
Local government area:	Mackay Regional Council

# 2. Approved drawings and documents

The following drawings and documents have been approved. Copies of approved drawings are provided in an enclosure.

Drawing or document	Number	Date / revision
Pipeline Line Alignment Sheet 4 of 5	6148P0104	05/03/2018 Rev C
Pipeline Line Alignment Sheet 5 of 5	6148P0105	05/03/2018 Rev C
Piping Layout Sheet 14	42-L-188	22/01/2018 Rev B
Piping Layout Sheet 15	42-L-189	22/01/2018 Rev B
Piping Layout Sheet 16	<del>42 L-190</del>	22/01/2018 Rev B
Piping Layout Sheet 17	42-L-191	22/01/2018 Rev B
Piping Layout Sheet 18	42-L-192	22/01/2018 Rev B
Mackay LR Pipeline - Piping Layout Sheet 6	201-L-0006	23/10/18 Rev 1
DN350 Pipe Bridge and Supports – Locality plan	<u>201-M-001</u>	29/06/2018 Rev 1



DN350 Pipe Bridge – General Plan and Layout	<u>201-M-002</u>	29/06/2018 Rev 1
DN350 Pipe Bridge - Steel Layout Plans and	201-M-003	29/06/2018 Rev 1
<u>Elevations</u>		
DN350 Pipe Bridge – Footing Details	<u>201-M-004</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 1	201-M-005	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 2	<u>201-M-006</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 3	<u>201-M-007</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 4	201-M-008	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 5	201-M-009	29/06/2018 Rev 2
DN350 Pipe Bridge – Details Sheet 1 of 2	201-M-010	29/06/2018 Rev 1
DN350 Pipe Bridge – Details Sheet 2 of 2	201-M-011	29/06/2018 Rev 1
Valve Access Platform - Sections and Details	201-M-012	29/06/2018 Rev 1
Valve Access Platform – Sections and Details	201-M-013	29/06/2018 Rev 1
Pipe Support Details – Type 1	201-PS-001	10/05/2018 Rev 1
Pipe Support Details – Type 2	201-PS-002	10/05/2018 Rev 1
Pipe Support Details – Type 6	201-PS-006	10/05/2018 Rev 1
Pipe Support Details – Type 7	201-PS-005	12/09/2018 Rev A
Pipe Support Details – Type 8	201-PS-008	12/09/2018 Rev A
Wharf 3 Fire Suppression Concept	15020-SK-020 Sheet 1	17/07/2018 Rev B
Wharf 3 Fire Monitor Coverage Plan	15020-SK-020 Sheet 2	20/07/2018 Rev A
Traffic Management Plan	Q15020 0	08/06/2018 Rev 0
Construction Environmental Management Plan	Q15020 1	05/07/2018 Rev 1
Operational Environmental Management Plan	SD103400	06/01/2017 Rev0

# 3. Referral agency response

The development application was referred to the Department of State Development, Manufacturing, Industry and Planning under the following provision of the Planning Regulation 2017:

- 10.17.3.2.1 Tidal works or work in a coastal management district
- 10.17.3.1.1 Tidal works or work in a coastal management district

A copy of the Referral Agency Response is attached.

# 4. Properly made submissions

Not applicable—no part of the application required public notification.



# 5. Additional development permits and authorisations

This development permit is limited to construction of a fuel products pipeline on Wharf 3 at the Port of Mackay. At no time should this document be interpreted to imply approval to any other development, operation or land use.

Please be advised that the following development permits are required to be obtained before this development can be commenced. It is the applicant's responsibility to ensure that all other necessary development permits are in place prior to work commencing.

Permit / licence requirements	Relevant agency
Material Change of Use for the Operation of	North Queensland Bulk Ports Corporation as
Environmentally Relevant Activity 50 - Bulk	Assessment Manager
<u>Handling</u>	
Port Development Approval – for onshore	North Queensland Bulk Ports Corporation
elements of the pipeline and associated	approvals@nqbp.com.au
works. Assessable under the Port Rules of	
the Port of Mackay.	
Port Development Approval – for Stages 2	North Queensland Bulk Ports Corporation
and 3 offshore works. Assessable under the	approvals@nqbp.com.au
Port Rules of the Port of Mackay.	

This development approval includes the requirement to access land and licence areas not held by the Applicant. Written agreement to access land and conduct works must be obtained from relevant land owners, being NQBP and licensee, being Sugar Terminal Australia, prior to any work commencing.

# 6. Currency period for the approval

This development approval will lapse unless the development is not substantially commenced within six (6) years of the date of decision.

# 7. 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*).

A copy of the relevant appeal provisions is attached.

Further information may be obtained from the Planning and Environment Court website:

http://www.courts.qld.gov.au/courts/planning-and-environment-court



# Attachment 1

# **ASSESSMENT MANAGER CONDITIONS**

Condi	Timing		
Carry out the approved developme			
a) The development must be under with the plans and supporting does table below and attached which for otherwise specified by any conditions.	At all times.		
Drawing or document	Number	Date / revision	
Pipeline Line Alignment Sheet 4 of 5	6148P0104	05/03/2018 Rev C	
Pipeline Line Alignment Sheet 5 of 5	6148P0105	05/03/2018 Rev C	
Piping Layout Sheet 14	42 L-188	22/01/2018 Rev B	
Piping Layout Sheet 15	42-L-189	22/01/2018 Rev B	
Piping Layout Sheet 16	42-L-190	22/01/2018 Rev B	
Piping Layout Sheet 17	42 L 191	22/01/2018 Rev B	
Piping Layout Sheet 18	42 L 192	22/01/2018 Rev B	
Mackay LR Pipeline – Piping Layout Sheet 6	201-L-0006	23/10/18 Rev 1	
<u>DN350 Pipe Bridge and Supports –</u> <u>Locality plan</u>	<u>201-M-001</u>	29/06/2018 Rev 1	
DN350 Pipe Bridge – General Plan and Layout	<u>201-M-002</u>	29/06/2018 Rev 1	
DN350 Pipe Bridge – Steel Layout Plans and Elevations	<u>201-M-003</u>	29/06/2018 Rev 1	
DN350 Pipe Bridge – Footing Details	201-M-004	29/06/2018 Rev 1	
DN350 Pipe Bridge – Bridge Section 1	201-M-005	29/06/2018 Rev 1	
<u>DN350 Pipe Bridge – Bridge Section 2</u>	201-M-006	29/06/2018 Rev 1	
<u>DN350 Pipe Bridge – Bridge Section 3</u>	<u>201-M-007</u>	29/06/2018 Rev 1	
<u>DN350 Pipe Bridge – Bridge Section 4</u>	201-M-008	29/06/2018 Rev 1	
<u>DN350 Pipe Bridge – Bridge Section 5</u>	201-M-009	29/06/2018 Rev 2	
<u>DN350 Pipe Bridge – Details Sheet 1</u> of 2	<u>201-M-010</u>	29/06/2018 Rev 1	
DN350 Pipe Bridge – Details Sheet 2 of 2	201-M-011	29/06/2018 Rev 1	
Valve Access Platform – Sections and Details	201-M-012	29/06/2018 Rev 1	
Valve Access Platform – Sections and Details	201-M-013	29/06/2018 Rev 1	
Pipe Support Details - Type 1	201-PS-001	10/05/2018 Rev 1	



Condi	Timing		
Pipe Support Details - Type 2	201-PS-002	10/05/2018 Rev 1	
Pipe Support Details - Type 6	201-PS-006	10/05/2018 Rev 1	
Pipe Support Details - Type 7	201-PS-005	12/09/2018 Rev A	
Pipe Support Details - Type 8	201-PS-008	12/09/2018 Rev A	
Wharf 3 Fire Suppression Concept	15020-SK- 020 Sheet 1	17/07/2018 Rev B	
Wharf 3 Fire Monitor Coverage Plan	15020-SK- 020 Sheet 2	20/07/2018 Rev A	
Mackay Berth 3 Fire Safety Study	<u>J-000297-</u> <u>FSS-01</u>	21/06/2018 Rev 0	
Traffic Management Plan	Q15020 0	08/06/2018 Rev 0	
Construction Environmental  Management Plan	Q15020 1	05/07/2018 Rev 1	
Operational Environmental  Management Plan	<u>SD103400</u>	06/01/2017 Rev0	
development survey. If any modificertified revisions are to be submivia approvals@nqbp.com.au.	weeks prior to commencement of works.		
<ol> <li>a) The following additional Revise certified by an RPEQ and general drawings described in Condition and approval by NQBP via appro- drawings must reflect the final alignification.</li> </ol>	At least four (4) weeks prior to commencement of works.		
Drawing or document	Number	Date / revision	
Wharf 3 Fire Suppression Concept	15020-SK- 020 Sheet 1	17/07/2018 Rev B	
Wharf 3 Fire Monitor Coverage Plan	15020-SK- 020 Sheet 2	20/07/2018 Rev A	
Pipe Support Details - Type 1	201-PS-001	10/05/2018 Rev 1	
Pipe Support Details - Type 2	201-PS-002	10/05/2018 Rev 1	
Pipe Support Details - Type 6	201-PS-006	10/05/2018 Rev 1	
Pipe Support Details – Type 7	201-PS-005	12/09/2018 Rev A	
Pipe Support Details - Type 8	201-PS-008	12/09/2018 Rev A	



	Condition	Timing
2.	b) A comprehensive structural RPEQ check must be completed following finalisation of all appropriate loads combined with accurate structural dimensions, locations and orientations. This RPEQ certificate shall indicate the resultant reduction in allowable live load capacity within the area and shall be provided to NQBP for review and approval, via approvals@nqbp.com.au.	At least four (4) weeks prior to commencement of works.
3.	'As constructed' drawings and design certificates certified by an RPEQ must be submitted to NQBP via approvals@nqbp.com.au. The following is to be provided to be as described below:  ■ One set of "As-constructed" drawings.  ■ Dimensioned plot plans and general arrangement drawings must also be provided electronically to NQBP in dwg and dxf formats (including pen plot, xref, ole, block files and any other external references).  ■ GIS data − All digital vector data must be provided in ESRI shape file or geo-database format, with accurate and complete feature attributes where appropriate.  ■ CAD data (where GIS data not available) − must be provided in geo-referenced native format (DGN, DWG or DXF formats).  ■ All data must be organised into a logical, named layer structure to facilitate feature conversion by layer, with only relevant data associated with each layer name.  ■ All line-work is to be continuous and polygons closed wherever possible.  ■ All CAD files should be purged of unnecessary data before transfer, and all relevant reference files merged into the main file.  ■ All spatial data must be geo-referenced, preferably projected to GDA94 MGA50 or other established coordinate system.	Within four (4) weeks of completion of works.
4.	Electrical infrastructure within the identified 20m hazardous area which is not currently suitable for gasoline must be upgraded to hazardous rated standard as specified in the Hazardous area classification drawing PTXHAC-1803-H Rev. B. Electrical isolations switches are to be installed for electrical equipment that will not be upgraded to hazardous rating and STL equipment within the 40m radius	Prior to commissioning the pipeline



	Condition	Timing
die im	Submit for review and approval by NQBP, via  approvals@nqbp.com.au, a revised Fire Safety Study for Mackay Berth 3. Unless otherwise agreed with NQBP, as a minimum this must include:  • Provision of fire water by the Applicant unless otherwise agreed with NQBP  • Provision of a remote fire monitor activation system  • Modification of the existing wharf bunding to ensure spill containment if requirement is greater than current capacity  • Use of Respondol ATF 3-3% foam  te: This development approval requires the commissioning of the esel fire system (but not the gasoline foam system) prior to the port of diesel products. Prior to the import of the gasoline products additional foam system must be commissioned by the Applicant.	At least four (4) weeks prior to commencement of works.
6.	Notice must be given to NQBP's Port Operations, via <a href="mailto:portOperations@nqbp.com.au">PortOperations@nqbp.com.au</a> of the expected commencement and completion dates for the works.	One (1) week prior to commencement of works.
7.	At no time is the operation of the Approved Development permitted to adversely affect the efficient and safe operation of the Port.	At all times.
En	vironmental management	
8.	In carrying out the Approved Development, the applicant must take all reasonable and practicable measures to ensure that environmental harm does not occur.	At all times.
9.	No Environmentally Relevant Activities (ERA's) are to be undertaken on site without prior approval from the relevant agencies.	At all times.
10.	<ul> <li>a) Development is to be carried out in accordance with the Construction Environmental Management Plan identified in condition 1 with the following. A-revisions. The updated Construction Environmental Management Plan is to be submitted for review and approval to NQBP via <a href="mailto:approvals@nqbp.com.au">approvals@nqbp.com.au</a>:</li> <li>Section 11.2 – Environmental inspection/checklist are to be completed within first two weeks of project commencement and available to NQBP upon request for audit purposes.</li> <li>Section 12.1.3.1 – Installation of drop sheets and full encapsulation is to be provided where required. All capture waste must be disposed of appropriately.</li> </ul>	At least four (4) weeks prior to commencement of works.
10.	b) A revised Construction Environmental Management Plan is to be submitted for review and approval to NQBP via approvals@nqbp.com.au:	At least four (4)  weeks prior to  commencement of  Stage 2 and 3 works.



Condition	Timing
<ul> <li>11. Development is to be carried out in accordance with the Operational Environmental Management Plan identified in condition 1 with the following. A revisions final Operational Environmental Management Plan is to be submitted for review and approval to NQBP via approvals@nqbp.com.au: <ul> <li>Section 2.5 – Any new firefighting infrastructure must comply with the Environmental Management of Firefighting Foam Policy administered by the Department of Environment and Science.</li> <li>Section 2.5 – Any wharf side firefighting foam must be completely fluorine free.</li> </ul> </li> </ul>	At least four (4) weeks prior to commencement of works.
12. No contaminants are permitted to enter the water.	At all times.
13. All waste must be removed from the site and taken to a licenced waste management facility on a regular basis. No waste is to be burned or buried on site.	At all times.
Traffic management	
<ul> <li>44. A Traffic Management Plan must be undertaken in accordance with the Approved Traffic Management Plan identified in Condition 1. provided for review and approval by NQBP via approvals@nqbp.com.au. The plan must address:</li> <li>Safe operation requirements for construction vehicles within Wharf 3</li> <li>Directional signage requirements and specifications</li> </ul>	At least four (4) weeks prior to commencement of works.



# Attachment 2

# **REFERRAL AGENCY RESPONSE**

Agency	Reference	Date received
Department of State Development,	1803-4658 SRA	21/05/2018
Manufacturing, Infrastructure and Planning		



Department of
State Development,
Manufacturing,
Infrastructure and Planning

Our reference: 1803-4658 SRA Your reference: PL/04/02/00006

21 May 2018

The Chief Executive Officer
The North Queensland Bulk Ports
GPO Box 409
BRISBANE QLD 4001
planning@nqbp.com.au

Attention: Julie Keane

Dear Mrs. Keane

# Referral agency response—with conditions

(Given under section 56 of the Planning Act 2016)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 10 April 2018.

# **Applicant details**

Applicant name: Caltex Australia Petroleum

Applicant contact details: P.O. Box 771

SPRINGWOOD QLD 4127

qps@ecn.net.au

# **Location details**

Street address: Mulherin Drive, Mackay Harbour

Real property description: Lot 63 on SP143358

Local government area: Mackay Regional Council (Strategic Port Land)

# **Application details**

Development permit Operational work – Prescribed tidal work (Fuel products pipeline on

wharf 3 at Port of Mackay)

# Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

10.17.3.2.1 Tidal works or work in a coastal management district
 10.17.3.1.1 Tidal works or work in a coastal management district

# **Conditions**

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

# Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

# Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue	
Aspect of development: Operational Work					
Pipeline Alignment Sheet 4 of 5	Queensland Planning and Survey P/L	25/7/17	6148P0104	Revision C	
Pipeline Alignment Sheet 4 of 5	Queensland Planning and Survey P/L	19/7/17	6148P0105	Revision C	
Piping Layout – Sheet 14	Caltex	22/01/18	42-L-188	Rev. B	
Piping Layout – Sheet 15	Caltex	22/01/18	42-L-189	Rev. B	
Piping Layout – Sheet 16	Caltex	22/01/18	42-L-190	Rev. B	
Piping Layout – Sheet 17	Caltex	22/01/18	42-L-191	Rev. B	
Piping Layout – Sheet 18	Caltex	22/01/18	42-L-192	Rev. B	

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

For further information please contact Ainsley Sullivan, Senior Planning Officer, on (07) 4898 6813 or via email MIWSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

Patrick Ruettjes

Manager (Planning), Mackay Isaac Whitsunday Regional Office

cc Caltex Australia Petroleum, qps@ecn.net.au

enc Attachment 1—Conditions to be imposed

Attachment 2—Reasons for decision to impose conditions

Approved plans and specifications

# Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Opera	itional Work	
Directo develo	3.1.1 - Tidal works —The chief executive administering the <i>Planning Act</i> 2 or-General of the Department of Environment and Science to be the enforcement to which this development approval relates for the administration at relating to the following condition(s):	cement authority for the
1.	The development must be carried out generally in accordance with the following plan:  Caltex Refineries (QLD) Pty Ltd, Caltex – Mackay Pipeline, North QLD Bulk Ports, Mackay Section, Pipeline Alignment Sheet 4 of 5, Chainage 448.31 to 535.62, prepared by Queensland Planning & Survey P/L, dated 05/03/18, reference 6148P0104 and revision C  Caltex Refineries (QLD) Pty Ltd, Caltex – Mackay Pipeline, North QLD Bulk Ports, Mackay Section, Pipeline Alignment Sheet 5 of 5, Chainage 535.62 to 652.58, prepared by Queensland Planning & Survey P/L, dated 05/03/18, reference 6148P0105 and revision C  Caltex Products Pipelines, Mackay Bulk Wharf – LR Pipeline, Piping Layout – Sheet 14, prepared by Caltex Refineries (Qld) Pty Ltd, dated 22/01/18, reference 42-L-188 and revision B  Caltex Products Pipelines, Mackay Bulk Wharf – LR Pipeline, Piping Layout – Sheet 15, prepared by Caltex Refineries (Qld) Pty Ltd, dated 22/01/18, reference 42-L-189 and revision B  Caltex Products Pipelines, Mackay Bulk Wharf – LR Pipeline, Piping Layout – Sheet 16, prepared by Caltex Refineries (Qld) Pty Ltd, dated 22/01/18, reference 42-L-190 and revision B  Caltex Products Pipelines, Mackay Bulk Wharf – LR Pipeline, Piping Layout – Sheet 17, prepared by Caltex Refineries (Qld) Pty Ltd, dated 22/01/18, reference 42-L-191 and revision B  Caltex Products Pipelines, Mackay Bulk Wharf – LR Pipeline, Piping Layout – Sheet 18, prepared by Caltex Refineries (Qld) Pty Ltd, dated 22/01/18, reference 42-L-192 and revision B	For the duration of works.
2.	For the proposed works, only use clean materials and ensure that the works do not cause contamination. To achieve this:  • only use materials which are free from contaminants as defined under section 11 of the <i>Environmental Protection Act</i> 1994.	For the duration of works.
3.	Erosion and sediment control measures which are in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association), are to be installed and maintained to prevent the release of sediment to tidal waters.	For the duration of works.
4.	Should the components of the Caltex – Mackay Pipeline, North QLD Bulk Ports, Mackay Section, Pipeline Alignment development collapse, fail or otherwise suffer structural consequences which impact their integrity or ability to function as intended, the works must be:  a) reinstated in accordance with this development approval; or b) removed and disposed of at an appropriately licensed facility.	As soon as reasonably practicable subsequent to the damage.

5.	Submit "As Constructed drawings" to palm@des.qld.gov.au or mail to: Department of Environment and Science Permit and Licence Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001	Within two (2) weeks of the completion of the works.
6.	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 Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.	(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained.
	<ul> <li>b) Certification by a suitably qualified person, confirming that the affected soil has been neutralised or contained, in accordance with (a) above is to be provided to palm@des.qld.gov.au or mailed to:         Department of Environment and Science Permit and Licence Management Implementation and Support Unit GPO Box 2454         Brisbane QLD 4001     </li> </ul>	(b) At the time the soils have been neutralised or contained.

# Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
- To ensure landowners are aware they must take responsibility for their damaged property as they can impact on coastal resources and public safety.
- To allow for compliance in relation to what is considered generally in accordance with the approved plans when preliminary plans are submitted with the application. Development inconsistent with the approval may have an impact on coastal management that was not considered in assessment.
- To ensure any disturbance to acid sulfate soils is managed to prevent impacts to coastal environments.



# **Attachment 3**

### **APPEAL PROVISIONS**

# **PLANNING ACT 2016**

# 229 APPEALS TO TRIBUNAL OR P&E COURT

- (1) Schedule 1 states—
  - (a) matters that may be appealed to-
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the "appellant"); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The "appeal period" is-
  - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under *Chapter 7*, *part 4*, to register premises or to renew the registration of premises—20 business days after a notice is published under *section 269* (3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the **appellant** gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

**Example:** See the P&E Court Act for the court's power to extend the **appeal period**.



# **SCHEDULE 1 APPEALS**

- 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.

# 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.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent (if any)	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



# **Statement of Reasons**

Planning Act 2016 s.56

# 1. Applicant details

Applicant name:	Caltex Australia Petroleum Pty Ltd
Applicant contact details:	Joe O'Carroll
	PO Box 794
	WYNNUM QLD 4178
	jocarro@caltex.com.au

# 2. Property description of proposed development

Port:	Mackay
Street address:	Ken White Avenue, Mackay
Real property description:	Lot 63 of SP143358
Local government area:	Mackay Regional Council

# 3. Development details

Approved development:	Operational work being tidal works assessable under Schedule 10, Part 17, Division 1 Section 28 (1)(a).
	Comprising the construction of a 350 mm fuel products pipeline along an existing wharf deck.

# 4. Assessment matters

The application has been assessed against:

- Port of Mackay Land Use Plan (November 2009).
- Mackay, Isaac and Whitsunday Regional Plan, 2012
- Port authority functions under the *Transport Infrastructure Act* 1994, chapter 8, part 3.

# 5. Reasons for the decision

The reasons for the decision are that the proposal:

- Subject to achievement of the assessment manager's conditions contributes toward the
  achievement of the desired environmental outcomes of the Port of Mackay Land Use Plan
  (November 2009) and the applicable regional policies.
- Subject to achievement of the assessment manager's conditions is consistent with the functions of the Port as specified in the *Transport Infrastructure Act 1994*, chapter 8, part 3

# 6. Relevant material

Evidence or other material on which the findings were based:

• Material provided in the development application.



# **Approved drawings**

Drawing or document	Number	Date / revision
Mackay LR Pipeline - Piping Layout Sheet 6	201-L-0006	23/10/2018 Rev 1
DN350 Pipe Bridge and Supports – Locality plan	201-M-001	29/06/2018 Rev 1
DN350 Pipe Bridge – General Plan and Layout	201-M-002	29/06/2018 Rev 1
DN350 Pipe Bridge – Steel Layout Plans and	201-M-003	29/06/2018 Rev 1
Elevations  DN350 Pipe Bridge – Footing Details	<u>201-M-004</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 1	201-M-005	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 2	<u>201-M-006</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 3	201-M-007	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 4	<u>201-M-008</u>	29/06/2018 Rev 1
DN350 Pipe Bridge – Bridge Section 5	201-M-009	29/06/2018 Rev 2
DN350 Pipe Bridge – Details Sheet 1 of 2	201-M-010	29/06/2018 Rev 1
DN350 Pipe Bridge – Details Sheet 2 of 2	201-M-011	29/06/2018 Rev 1
Valve Access Platform – Sections and Details	201-M-012	29/06/2018 Rev 1
Valve Access Platform – Sections and Details	201-M-013	29/06/2018 Rev 1
Pipe Support Details – Type 1	201-PS-001	10/05/2018 Rev 1
Pipe Support Details – Type 2	201-PS-002	10/05/2018 Rev 1
Pipe Support Details – Type 6	201-PS-006	10/05/2018 Rev 1
Pipe Support Details – Type 7	201-PS-005	12/09/2018 Rev A
Pipe Support Details – Type 8	201-PS-008	12/09/2018 Rev A
Wharf 3 Fire Suppression Concept	15020-SK-020 Sheet 1	17/07/2018 Rev B
Wharf 3 Fire Monitor Coverage Plan	15020-SK-020 Sheet 2	20/07/2018 Rev A

TITLE CALTEX PRODUCT
MACKAY BULK WI
PIPING LAYOUT -Signed: MATCHLINE DRG 201-L-005 12/17 MDG DRAWN

APPROVED SUBJECT TO CONDITIONS NOBP ref. PL/04/02/00006

Date 19/02/2019

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201-L-006

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PROJECT

SCALE

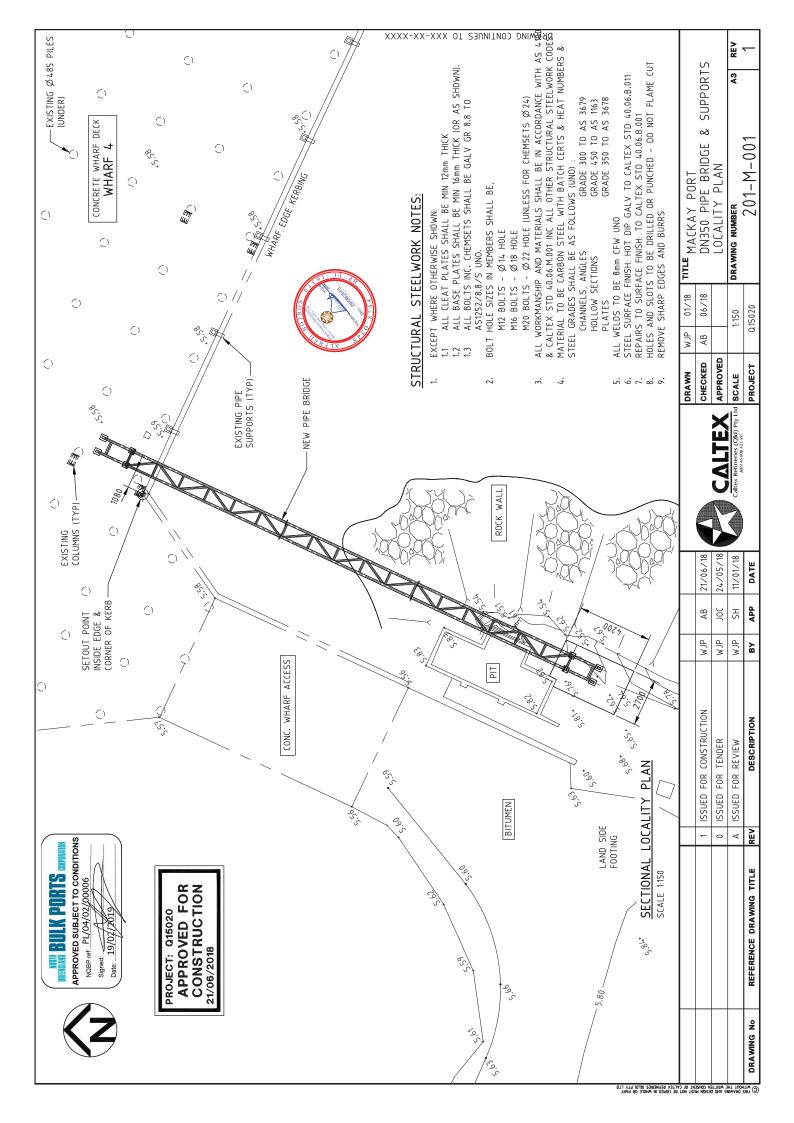
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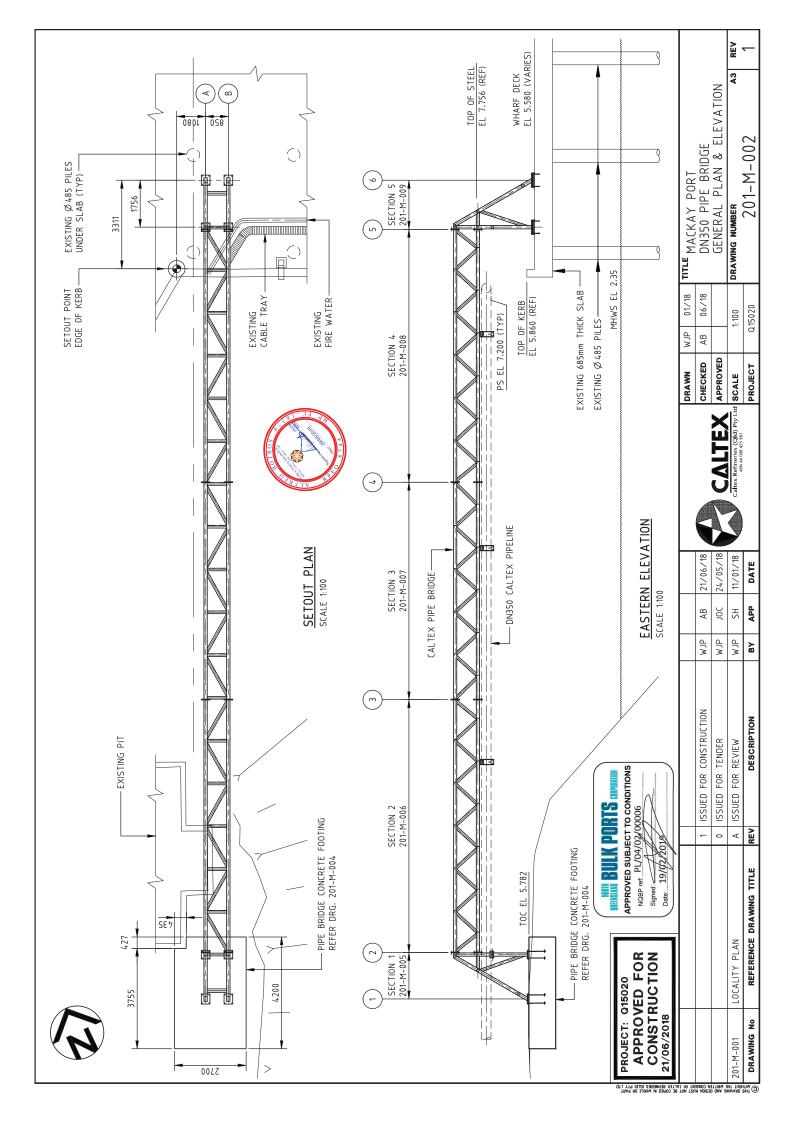
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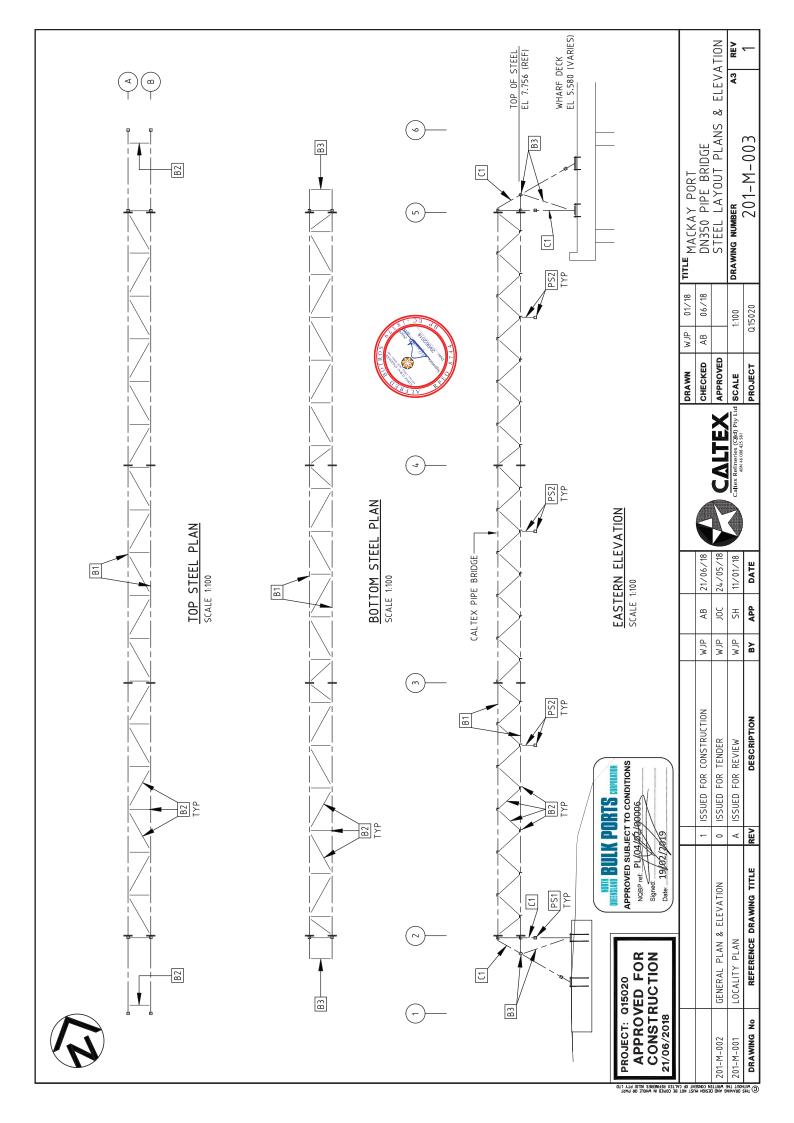
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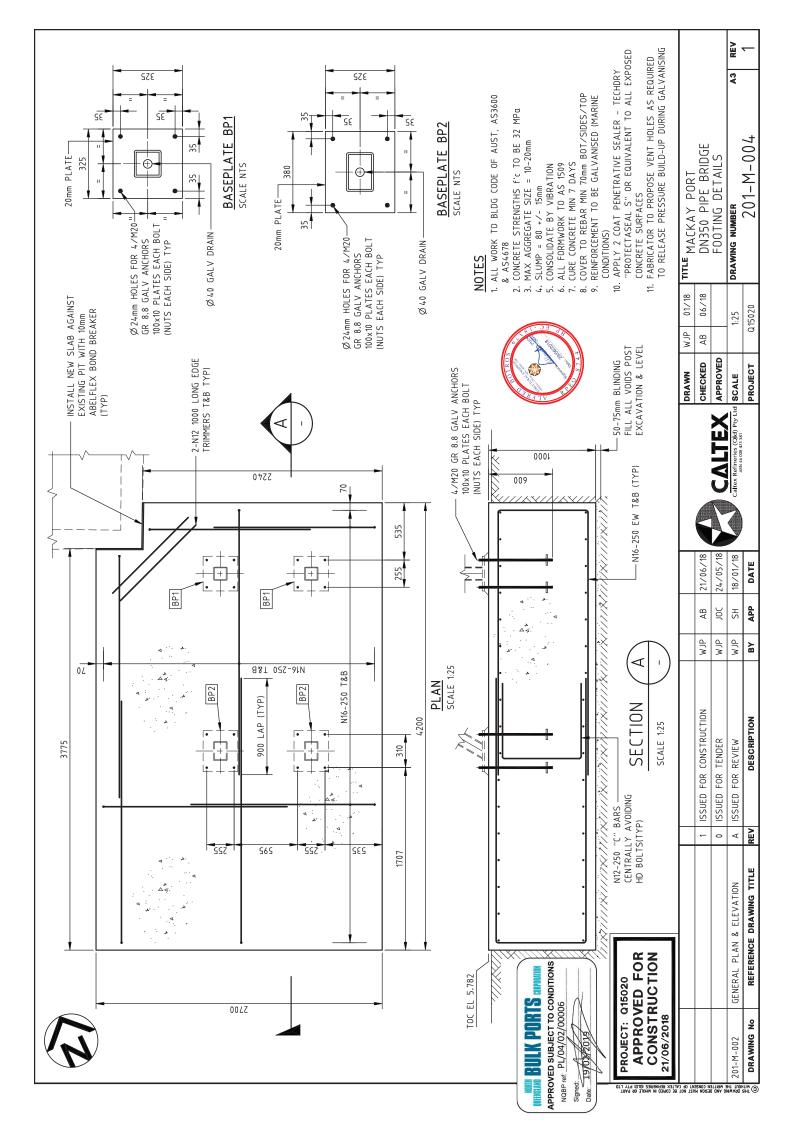
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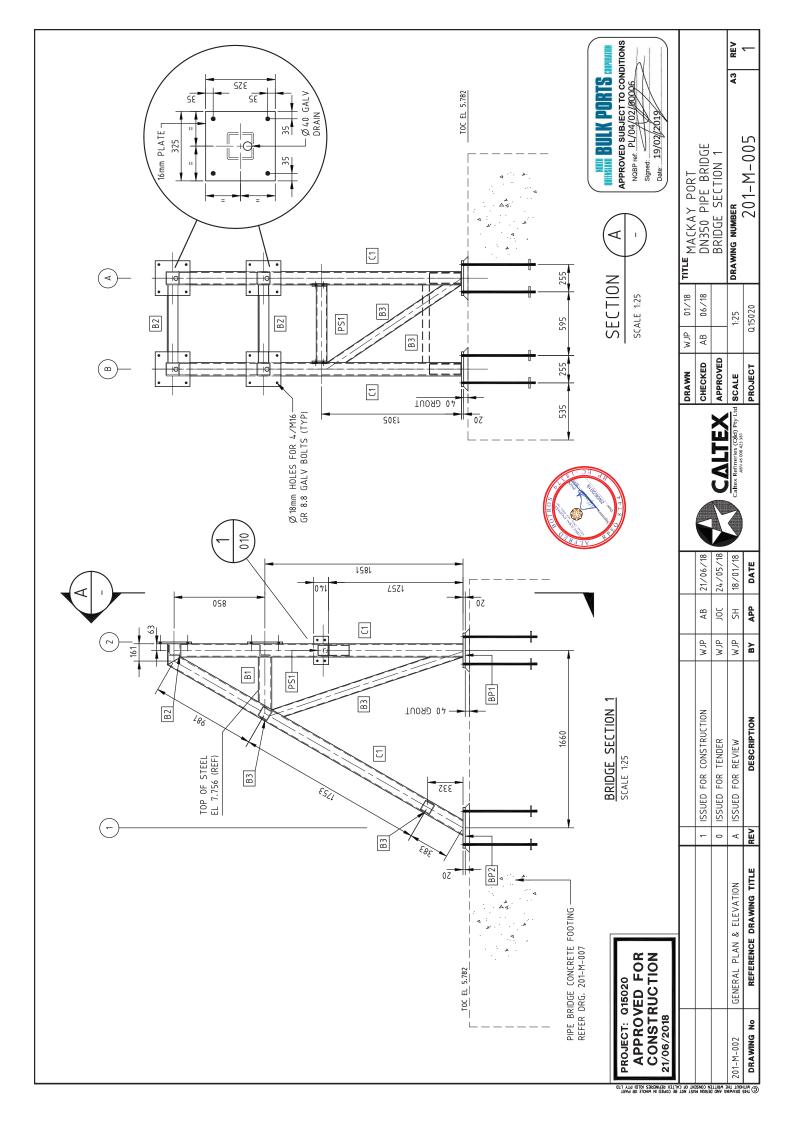
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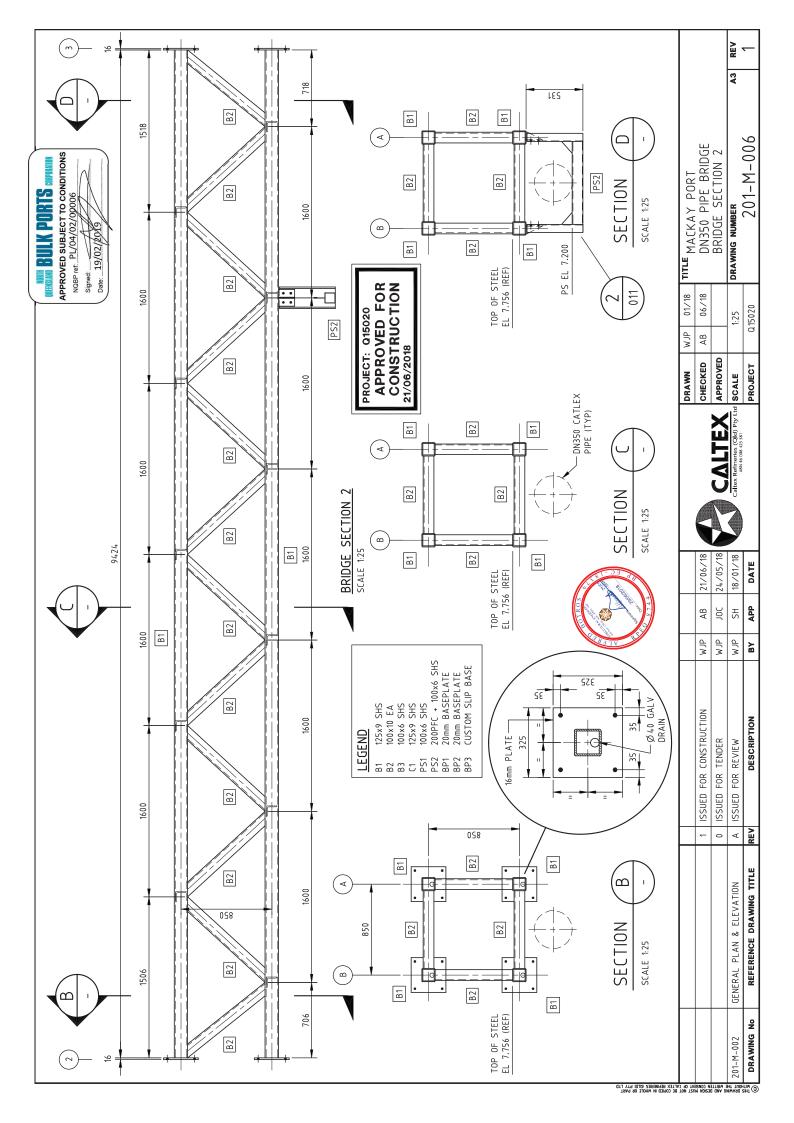


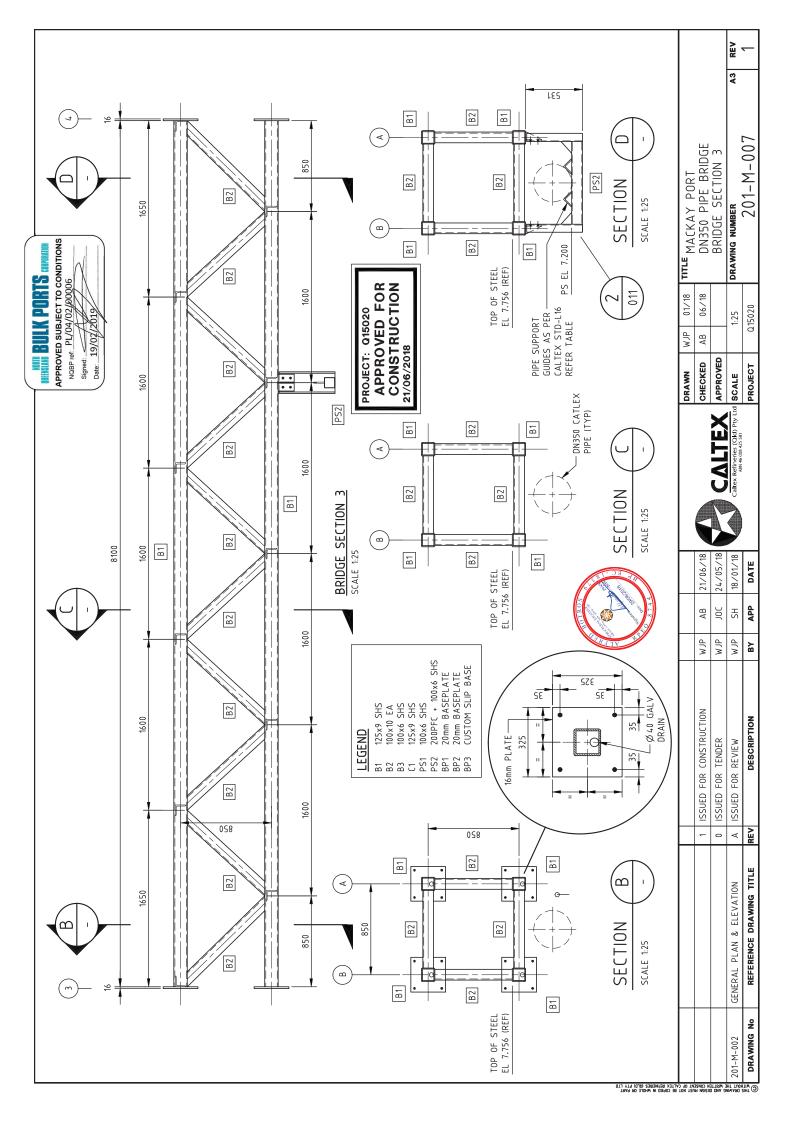


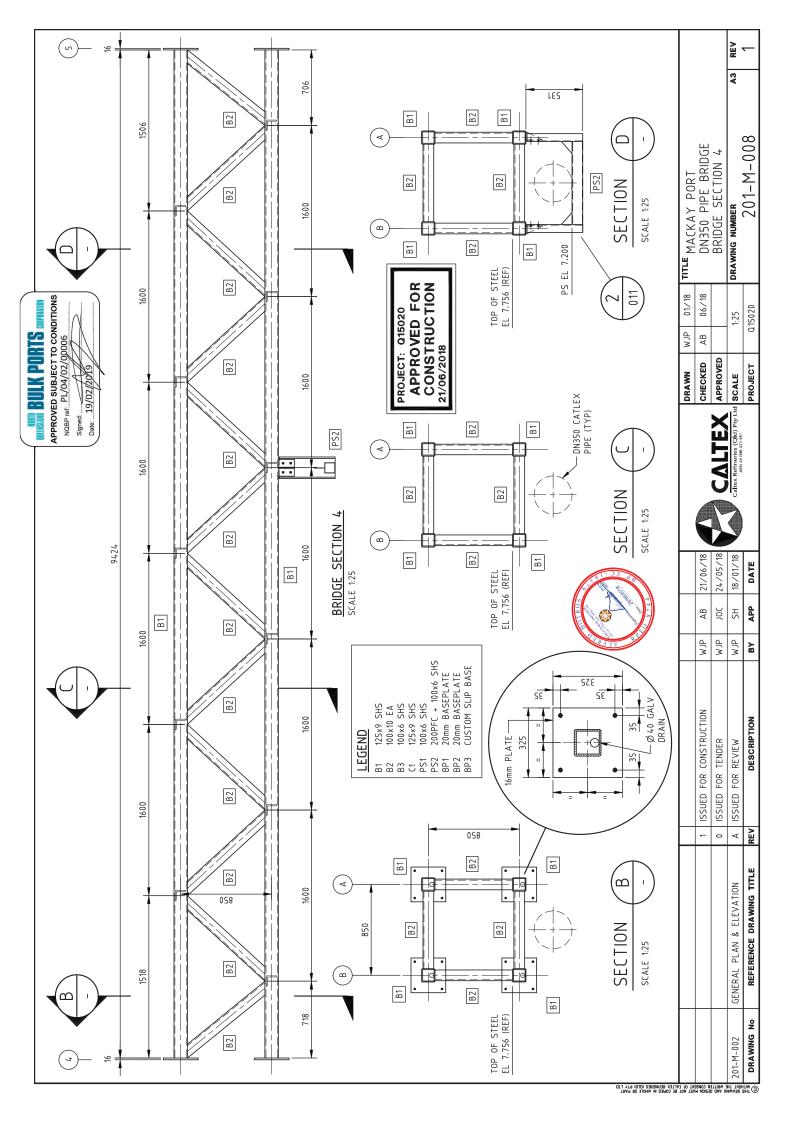


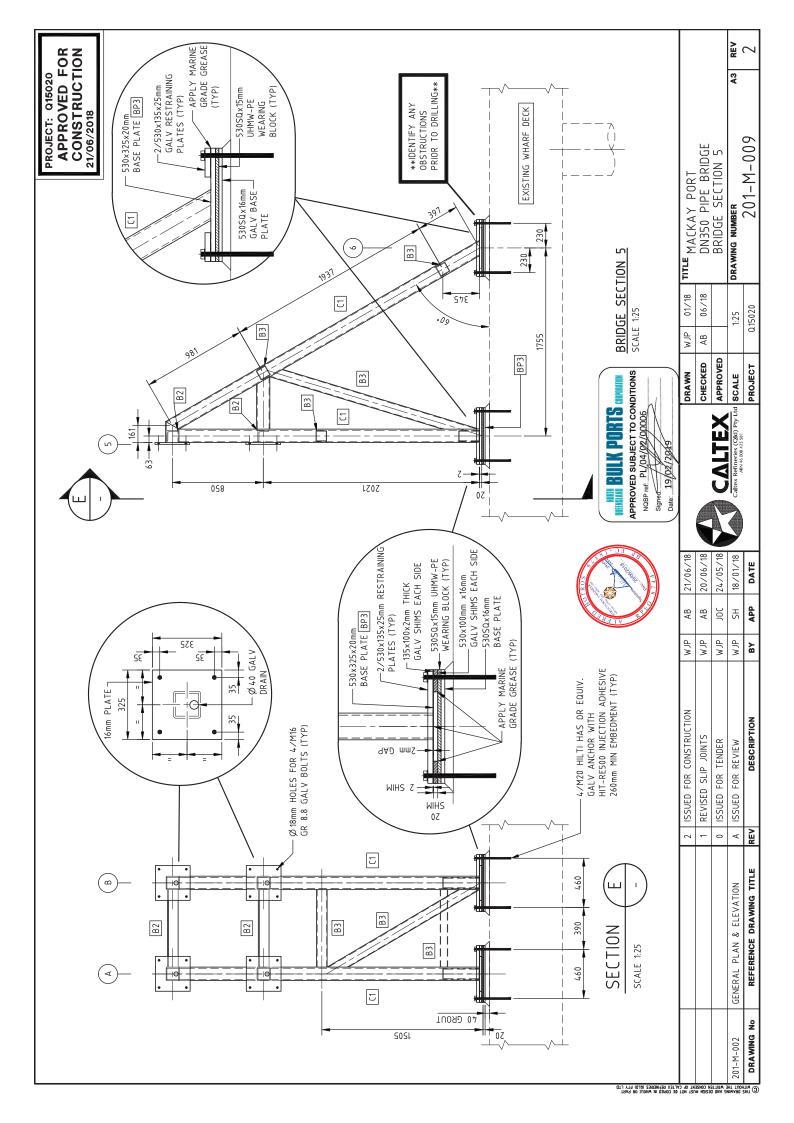


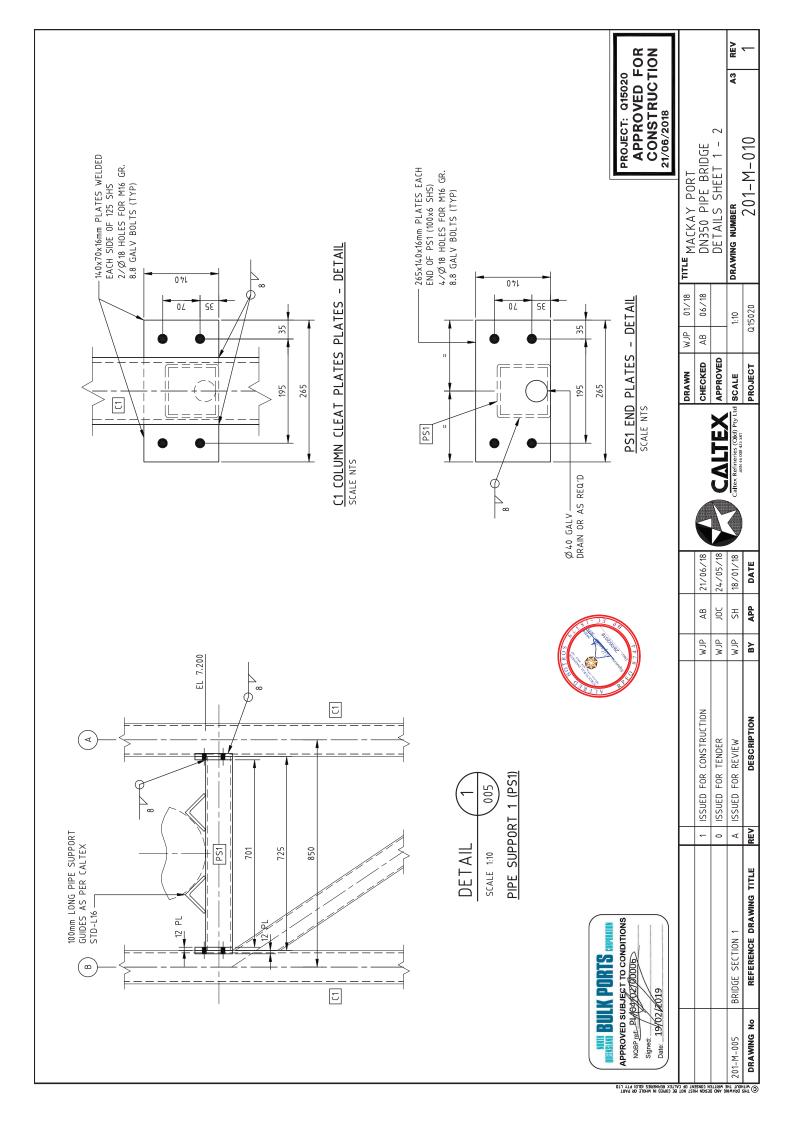


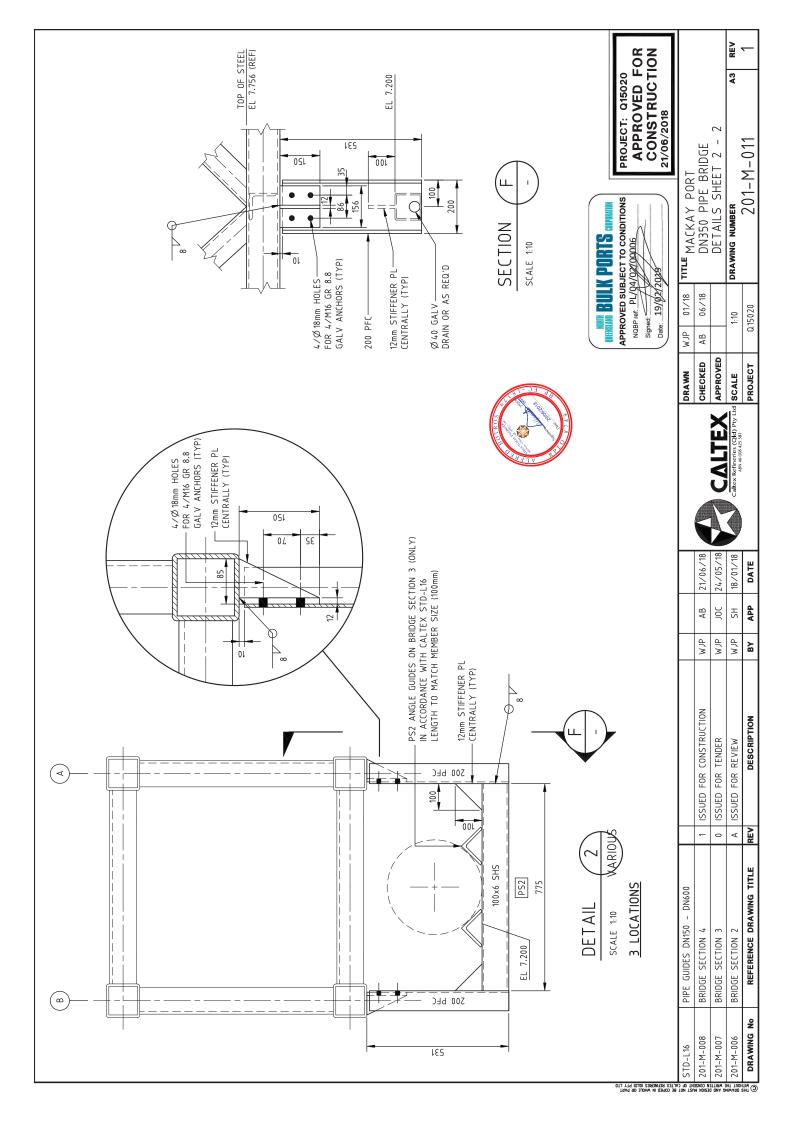


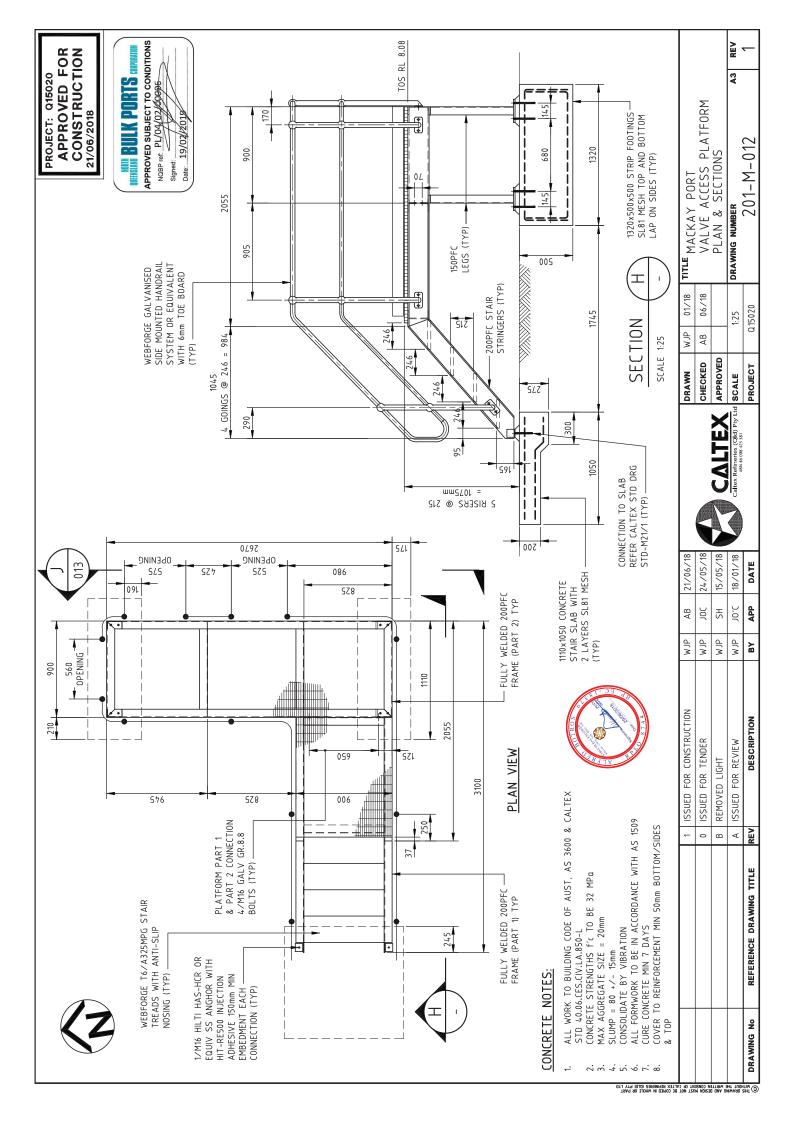


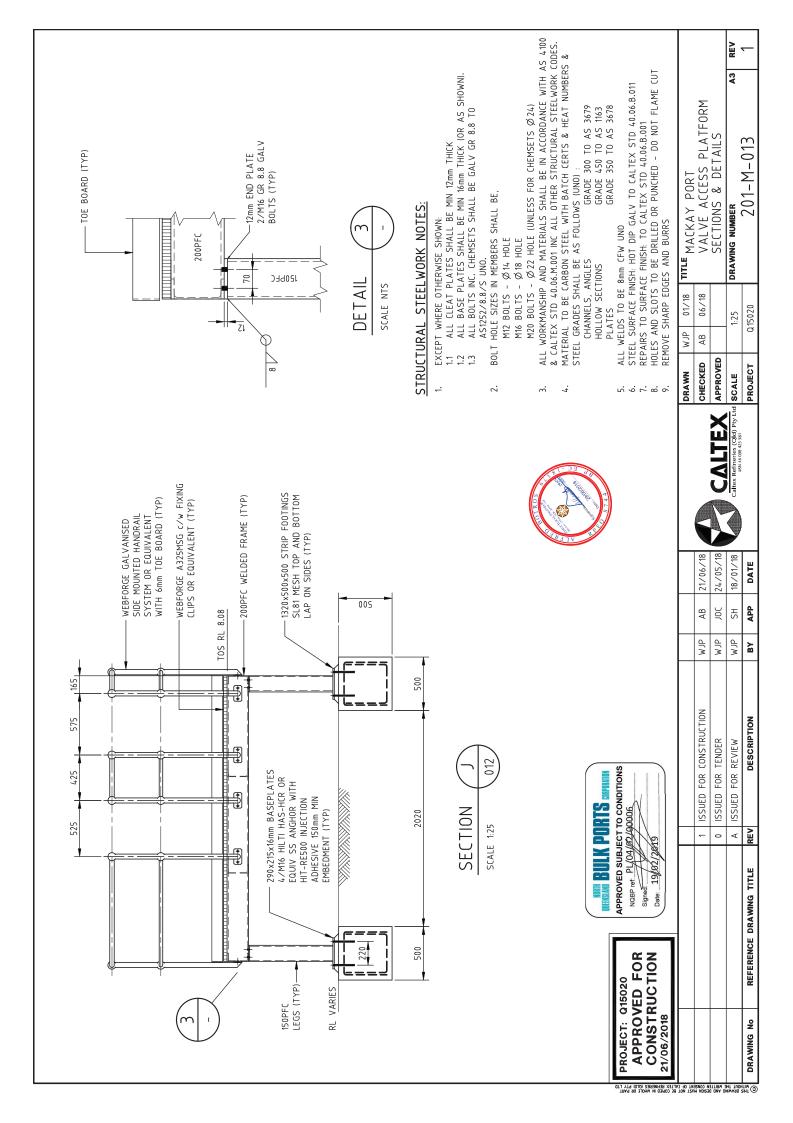


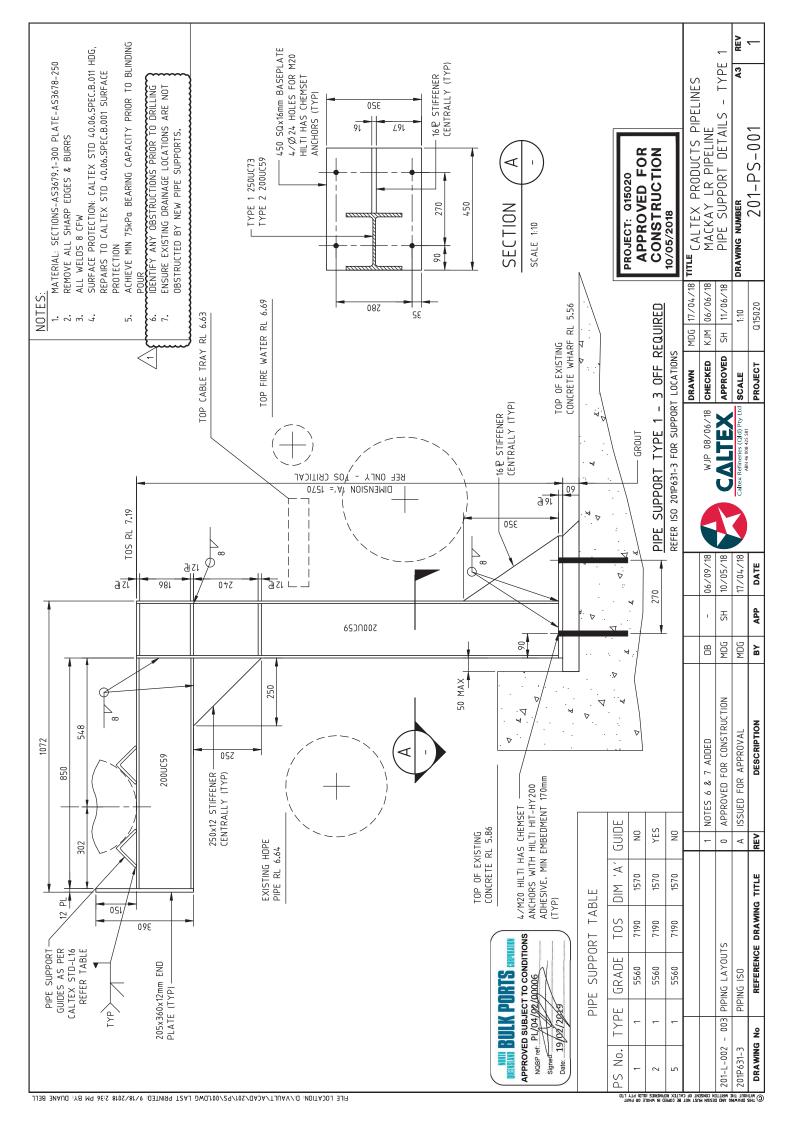


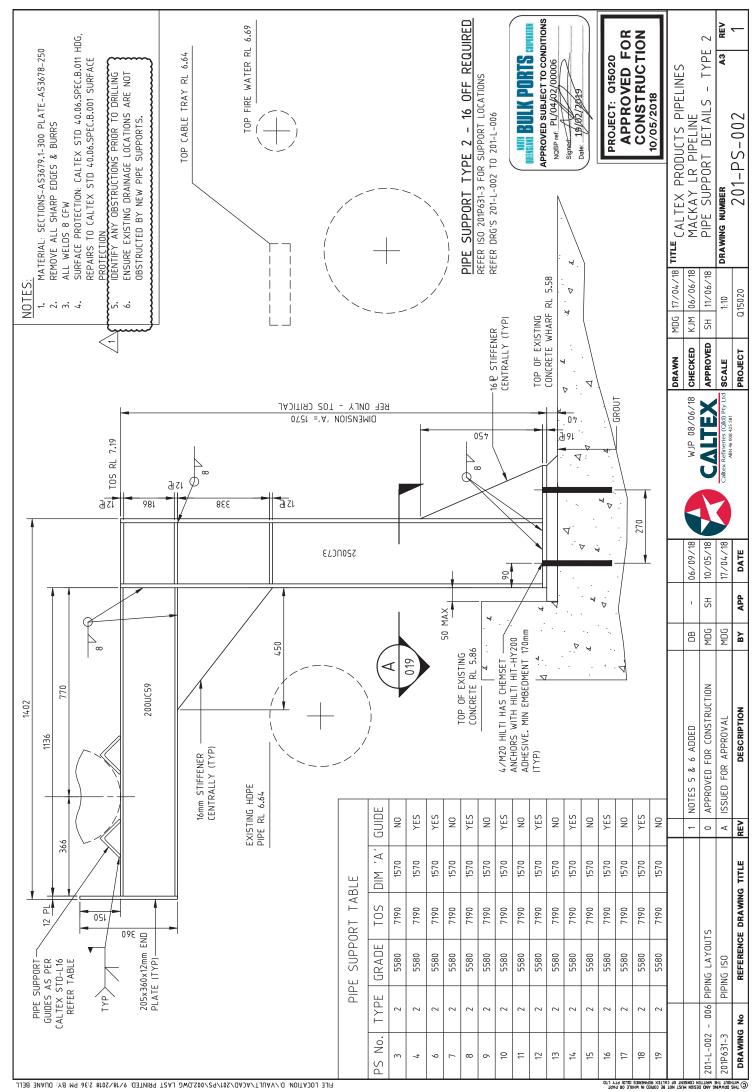




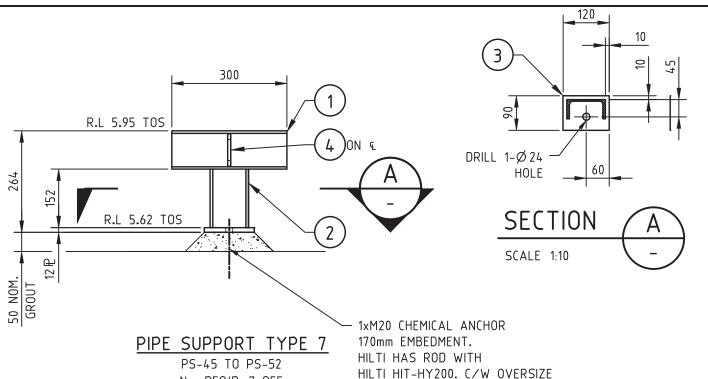












# ISSUED FOR REVIEW

DATE: 12/09/2018
DO NOT CONSTRUCT

APPROVED SUBJECT TO CONDITIONS
NOBP ref: PL/04/92/00006
Signed:
Date: 19/02/2019

# NOTES:

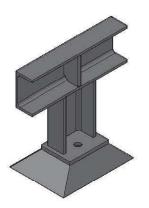
No. REQ'D: 7 OFF

SCALE 1:10

- 1. MATERIAL: SECTIONS-AS3679.1-300 PLATE-AS3678-250
- 2. REMOVE ALL SHARP EDGES & BURRS

WASHERS

- 3. ALL WELDS 8 CFW
- 4. SURFACE PROTECTION: CALTEX STD 40.06.SPEC.B.011 HDG, REPAIRS TO CALTEX STD 40.06.SPEC.B.001 SURFACE PROTECTION
- 5. IDENTIFY ANY OBSTRUCTIONS PRIOR TO DRILLING
- 6. ENSURE EXISTING DRAINAGE LOCATIONS ARE NOT OBSTRUCTED BY NEW PIPE SUPPORTS.



ISO VIEW
SCALE NTS

				MATERIAL LIST			
ITEM		No. RE	Q'D	DESCRIPTION	LENG	5TH	WIDTH
1		7		100 PFC	30	0	-
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3		7		12 №	12	0	90
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NOT BE COPIED IN WHOLE OR PART OF CALTEX REFINERIES (OLD) PTY LTC

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 PROJECT
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DMB 11/09/18 TITLE CALTEX PRODUCTS PIPELINES

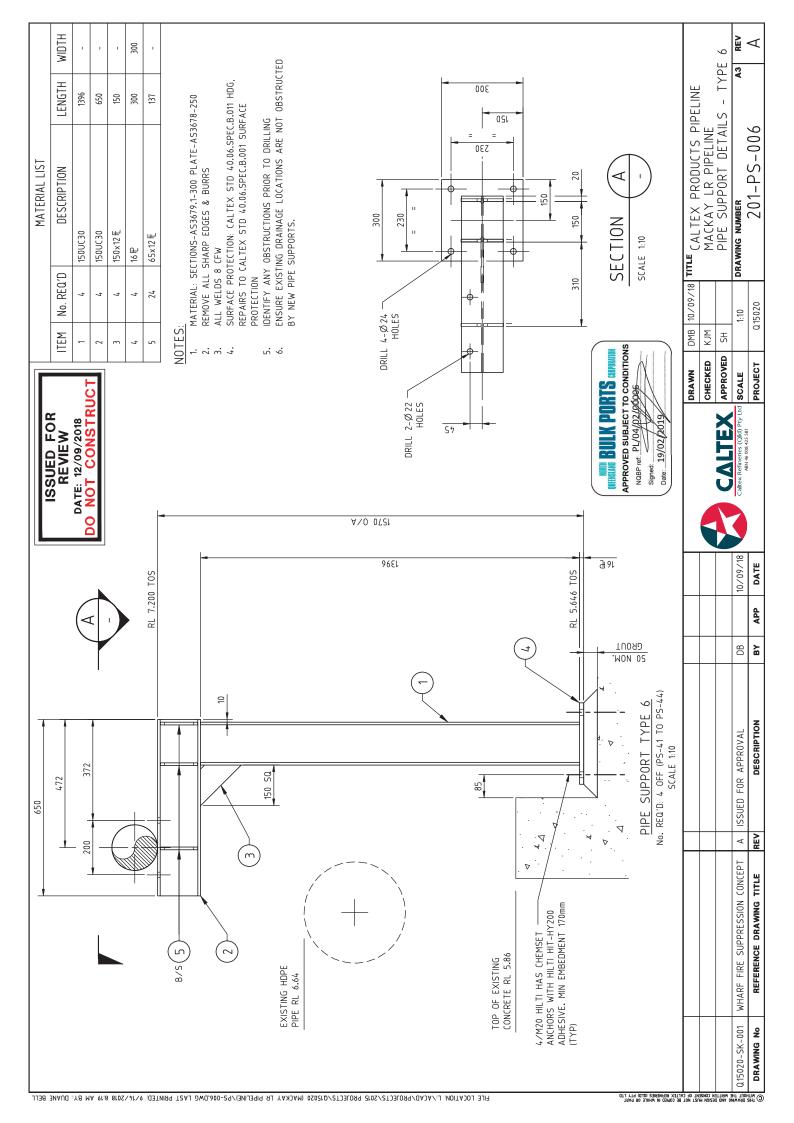
MACKAY LR PIPELINE

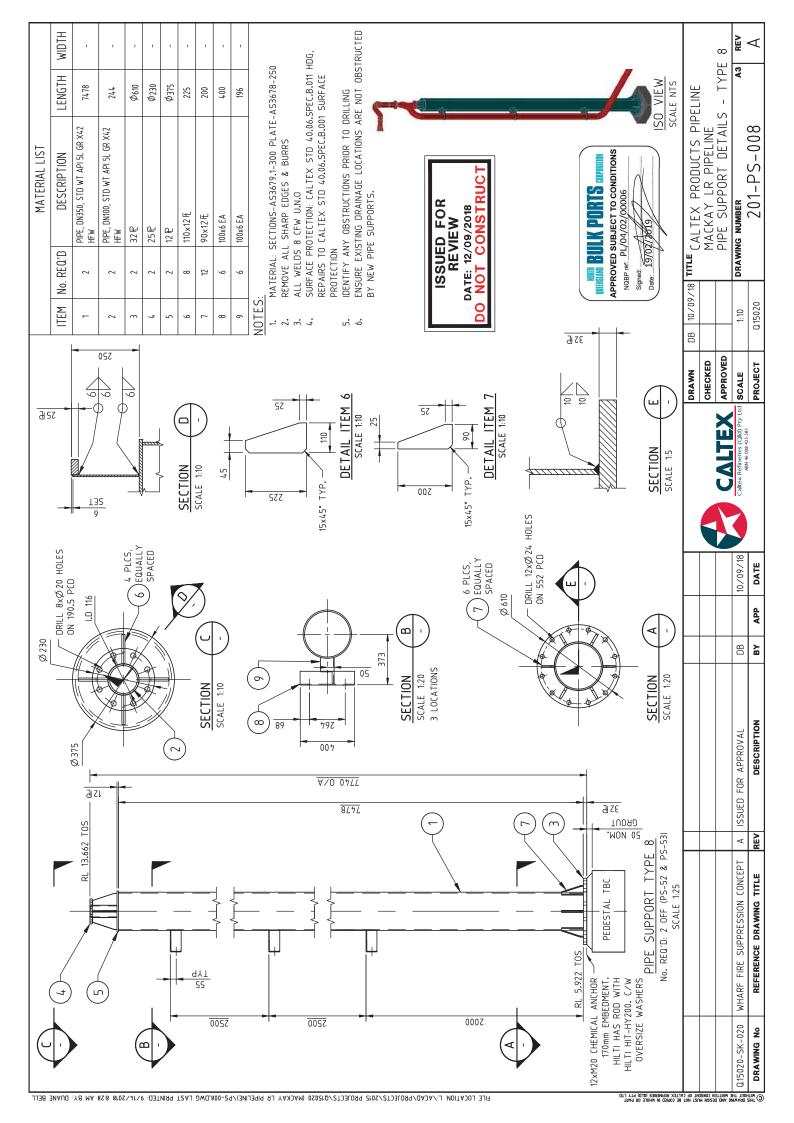
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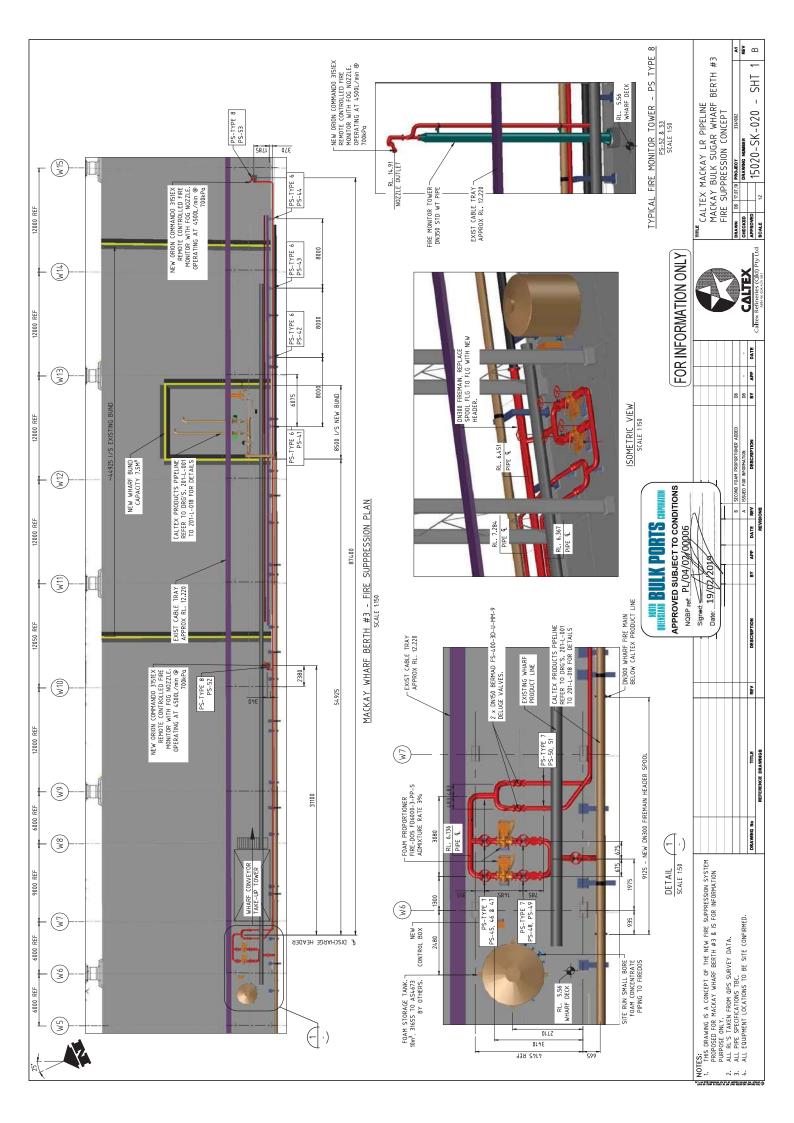
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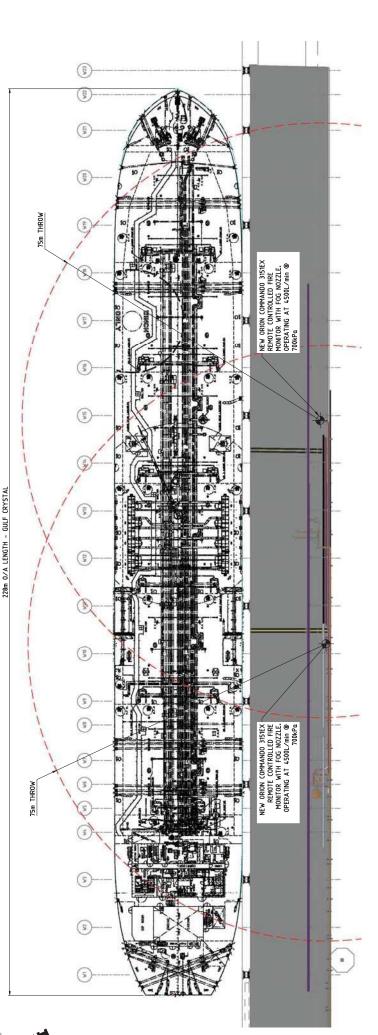
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MACKAY WHARF BERTH #3 - FIRE MONITOR COVERAGE PLAN SCALE 1350

# FOR INFORMATION ONLY

NOTES:

1. THIS DRAWING IS A CONCEPT OF THE NEW FIRE SUPPRESSION SYSTEM PROPOSED FOR MACKAY WHARF BERTH #3 & IS FOR INFORMATION PURPOSE ONLY.

2. ALL RI-ST STAKEN FROM QPS SURVEY DATA.

3. ALL PRE SPECIFICATIONS TBC.

4. ALL EQUIPMENT LOCATIONS TO BE SITE CONFIRMED.

	REVISIONS	BEVIS					REFERENCE DRAWINGS	
DESCRIPTION	REV	BY APP DATE REV	APP	BY	DESCRIPTION	REV	TITLE	DRAWING No
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CALTEX MACKAY LR PIPELINE	MACKAY BULK SUGAR WHARF BERTH #3	FIRE MONITOR COVERAGE PLAN
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