



17 August 2020

Anoop Pillai
North Queensland Bulk Ports Corporation
Level 4, 175 Eagle Street
BRISBANE QLD 4000

Email: apillai@nqbp.com.au

Dear Anoop,

**DEVELOPMENT APPROVAL PACKAGE FOR OPERATIONAL WORKS ON LAND
DESCRIBED AS LOT 61 SP118293 AND LOT 63 SP143358, AT THE PORT OF MACKAY**

NQBP Reference: PL/04/02/00014

North Queensland Bulk Ports Corporation Ltd (NQBP) wish to advise that your development application seeking approval for an extension to the existing Wharf 1 at the Port of Mackay was approved in full subject to conditions on 17 August 2020.

Approvals has been given with respect to Operational Work being Tidal Work and Removal of Marine Plants under the *Planning Act 2016* and Port Development Approval under the Port of Mackay Land Use Plan (November 2009).

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

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

Yours sincerely

Julie Keane
Principal, Development Advisor

Telephone: (07) 3011 7912
Email: JKeane@nqbp.com.au
Doc Reference: E20/22880

Enc: Decision notice issued under to s 63 of the *Planning Act 2016*
Port development approval issued under the Port of Mackay Land Use Plan (November 2009)
Approved drawings

Cc: Referral agency – Department of State Development, Manufacturing, Infrastructure and Planning
Local government – Mackay Regional Council

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GPO Box 409 Brisbane
Queensland 4001

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Mulherin Drive Mackay Harbour
Queensland 4740

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Level 1, Waterfront Place, Mulherin Drive Mackay Harbour Queensland is the Registered 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

Decision Notice

Planning Act 2016 s.63

1. Details of approval

<i>Applicant name:</i>	North Queensland Bulk Ports Corporation
<i>Development application:</i>	Operational works for the extension of the extension to the existing Wharf 1 structure.
<i>Date of decision</i>	17 August 2020
<i>Aspect of development:</i>	<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input checked="" type="checkbox"/> Operational work <input type="checkbox"/> Building work
<i>Decision:</i>	<input type="checkbox"/> Approval in full <input checked="" type="checkbox"/> Approval in full with conditions

2. Property description of proposed development

<i>Port:</i>	MACKAY
<i>Street address:</i>	Harbour Road, Mackay Harbour Qld 4740
<i>Real property description:</i>	Lot 61 SP118293 and Lot 63 SP143358
<i>Local government area:</i>	Mackay Regional Council

3. Approved drawings and documents

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

<i>Plan / Document name</i>	<i>Plan / Document number</i>	<i>Date</i>
272746-CS-011 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-012 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-021 Issue 2	Revetment layout	22/06/2020

4. 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:

- 10.6.3.3.1.1 Fisheries – marine plants
- 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

5. Properly made submissions

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

6. Additional development permits

This development permit is limited to Operational works for the extension of the existing Wharf 1 structure at the Port of Mackay. At no time should this document be interpreted to imply approval to any other development, operation or land use.

7. Currency period for the approval

This development approval will lapse if the approved development is not substantially commenced within four (4) years of the date of approval.

8. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain 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*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by an eligible submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 2 is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

Attachment 1 – Conditions of Approval

PART 1: ASSESSMENT MANAGER CONDITIONS

Condition			Timing
Carry out the approved development			
1. The development must be undertaken generally in accordance with the plans and supporting documentation reference in the table below and attached which forms part of this approval, unless otherwise specified by any condition of this approval.			At all times.
Plan / Document name	Plan / Document number	Date	
272746-CS-011 Issue 5	General Arrangement – Sheet 1	22/06/2020	
272746-CS-012 Issue 5	General Arrangement – Sheet 1	22/06/2020	
272746-CS-021 Issue 2	Revetment layout	22/06/2020	
2. 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: <ul style="list-style-type: none"> • 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). 			Within four (4) weeks of the completion of construction.
Site management			
3. The development or operation must not cause unlawful environmental nuisance or harm.			At all times.
4. A Construction Traffic Management Plan is to be submitted for review and approval by NQBP, via approvals@nqbp.com.au .			At least two (2) weeks prior to commencement of works.
Environmental Management			
5. A Final Construction Environmental Management Plan is to be submitted for review and approval by NQBP, via approvals@nqbp.com.au .			At least two (2) weeks prior to commencement of works.
6. An Erosion and Sediment Control Plan must be prepared by suitably qualified person, in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association).			At least two (2) weeks prior to commencement of works.

PART 2: REFERRAL AGENCY RESPONSE

Agency	Reference	Date received
Department of State Development, Manufacturing, Infrastructure and Planning	2004-16519 SRA	22 July 2020



Queensland Treasury

Our reference: 2004-16519 SRA
Your reference: PL/04/02/00014

22 July 2020

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

Attention: Ms Julie Keane

Dear Ms Keane

Changed referral agency response—with conditions (Given under section 28 of the Development Assessment Rules)

On 1 July 2020, the State Assessment and Referral Agency (SARA) received notice of a change to the development application described below. SARA has assessed the changes and now provides this changed referral agency response which replaces the response dated 4 June 2020.

Applicant details

Applicant name:	North Queensland Bulk Ports Corporation
Applicant contact details:	Level 1, 50 Mulherin Drive North Mackay QLD 4740 apillai@nqbp.com.au

Location details

Street address:	Mulherin Drive, Mackay Harbour; Mulherin Drive, Mackay Harbour
Real property description:	Lot 63 on SP143358 and Lot 61 on SP118293
Local government area:	Mackay Regional Council

Application details

Development permit	Operational work for tidal works for the extension to the existing Wharf 1 structure. Operational work being the removal or destruction of marine plants.
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Referral triggers

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

- 10.17.3.1.1 Tidal works or work in a coastal management district
- 10.17.3.2.1 Tidal works or work in a coastal management district
- 10.6.3.3.1.1 Fisheries - marine plants

Conditions

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

Reasons for decision to impose conditions

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

Advice to the assessment manager

Under section 56(3) of the *Planning Act 2016*, SARA offers advice about the application to the assessment manager—see Attachment 3.

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

For further information please contact Leah Harris, A/Principal Planning Officer, on (07) 4898 6815 or via email MIWSARA@dndmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Patrick Ruettjes
Manager (Planning)

Mackay Isaac Whitsunday Regional Office

- cc North Queensland Bulk Ports Corporation, apillai@nqbp.com.au
- enc Attachment 1—Changed conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the Assessment Manager
Attachment 4—Changed Plans Referred to in the Referral Agency Response

Attachment 1—Changed conditions to be imposed

(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 plans and specifications referenced below are found at Attachment 5.)

No.	Conditions	Condition timing
Operational Work		
10.6.3.3.1.1 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries 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.	<p>Development authorised under this approval is limited as follows:</p> <p>Permanent marine plant disturbance being limited to 150m² 135m² of macroalgae and shown in</p> <p>a) <u>Wharf 1 – Extension Footprint, ARUP, 29/06/2020, 272746-SKT-013 and Unrevised.</u></p> <p>a) Figure 4. Estimated area of impact to macroalgae on existing rock armour (shown as red shading) prepared by ARUP, dated 16 Jan 2020, 272746, unrevised; and</p> <p>b) Wharf extension – Location Plan, ARUP, 15/01/2020, 272746-CS-001, Issue 2</p> <p>c) Structure General Arrangement and Sections, Sheet 2, ARUP, 15/01/2020, 272746-CS-012, Issue 2</p>	At all times.
2.	<p>Provide written notice to notifications@daf.qld.gov.au when the development authorised under this approval:</p> <p>a) will start, and</p> <p>b) when it has been completed.</p> <p>These notices must state 2004-16519 SRA.</p>	<p>a) At least 5 business days but no greater than 20 business days prior to the commencement of the works.</p> <p>b) Within 15 business days of the completion of the fisheries development works.</p>
3.	Spoil is not disposed of on tidal lands or within waterways and is managed to prevent acid soil development.	At all times.
4.	This fisheries development (as defined by the <i>Fisheries Act 1994</i>) constitutes a place that is required to be open for inspection by an inspector at all times, pursuant to section 145 of the <i>Fisheries Act 1994</i> .	At all times.
5.	<p>Marine plants that are temporarily removed, damaged or destroyed by this development must be restored to pre-disturbance condition.</p> <p><i>Note: Marine plants are Matters of State Environmental Significance under the Environmental Offsets Act 2014. Due to the claims that restoration will occur made in this development application these have not been included in a significant residual impact for the purpose of calculating an environmental offset for this development. Failure to rehabilitate or restore these marine plants within 5 years</i></p>	Within 5 years of removal, damage or destruction.

	<i>will represent unlawful removal damage or destruction of marine plants under the Fisheries Act 1994 from that date.</i>	
6.	Any material used in the development (e.g. debris, construction material, soil, etc.) is to be promptly removed from the intertidal zone.	For the duration of the works the subject of this approval and to be maintained.
7.	Tidal land profiles that are temporarily disturbed by the development works (other than those within the permanent development footprint, as shown on <u>Wharf 1 – Extension Footprint, ARUP, 29/06/2020, 272746-SKT-013 and Unrevised</u> , Structure General Arrangement and Sections, Sheet 2, ARUP, 15/01/2020, 272746-CS-012, Issue 2, must be promptly restored to pre-work profiles.	Upon completion of the works the subject of this approval.
8.	The wharf extension and associated rock revetment works are to be constructed and maintained to avoid fish injury, mortality and/or entrapment.	At all times.
10.17.3.2.1— The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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):		
9.	<p>a) The construction, operation or maintenance of the approved development must not damage or interfere (physically or by electrical or electro-magnetic emissions) with any aid to navigation.</p> <p>b) In the event that damage or interference is caused to any aid to navigation, the Harbour Master must be immediately contacted on Mackay.maritime@msq.qld.gov.au, and at the applicant's cost the damage or interference must be promptly repaired replaced or interference removed.</p>	<p>a) At all times.</p> <p>b) As indicated.</p>
10.	“As Constructed” drawings of the approved structure must be provided to the Regional Harbour Master (Mackay) via Mackay.maritime@msq.qld.gov.au .	Within two (2) weeks of the completion of the works.
11.	<p>a) Provide written notice to the Regional Harbour Master (Mackay) via Mackay.maritime@msq.qld.gov.au when the development authorised under this approval is scheduled to commence.</p> <p>Each notice must state this application number, the location and name of registered place and the condition number under which the notice is being given.</p> <p>b) Provide written notice to the Regional Harbour Master (Mackay) via Mackay.maritime@msq.qld.gov.au, when the development authorised under this approval has been completed.</p> <p>Each notice must state this application number, the location and name of registered place and the condition number under which the notice is being given.</p>	<p>a) At least two (2) weeks prior to the commencement of works.</p> <p>b) Within two (2) weeks of the completion of works.</p>
12.	<p>All vessels, structures, plant and equipment associated with the construction of the approved works must be lit/marked in accordance with the International Collision Regulations such that the construction works does not cause a risk to the safe navigation of ships:</p> <p>Lighting provided must not obscure, disguise or otherwise interfere</p>	While the works are occurring.

	with the effectiveness of navigational lighting.	
13.	The structure must be lit/marked in accordance with the International Collision Regulations, such that it does not cause a risk to the safe navigation of other ships: Lighting provided must not obscure, disguise or otherwise interfere with the effectiveness of navigational lighting.	At all times.
14.	The construction, operation or maintenance of the structure, and any ship moored at this structure, must not impede the safe navigation of other ships or restrict safe access to or from neighbouring structures.	At all times.
10.17.3.1.1— The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science 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):		
15.	The works must be carried out generally in accordance with the following plans: a) NORTH QUEENSLAND BULK PORTS CORPORATION MACKAY WHARF 1 EXTENSION Structure General Arrangement Sheet 1 and Sections 272746-CS-011 Rev 25 dated 15/01/2020 22/06/2020 . b) NORTH QUEENSLAND BULK PORTS CORPORATION MACKAY WHARF 1 EXTENSION Structure General Arrangement and Sections Sheet 2 272746-CS-012 Rev 25 dated 15/01/2020 22/06/2020 .	For the duration of works
16.	a) An erosion and sediment control plan must be prepared by a suitably qualified person, in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association), b) Provide the erosion and sediment control plan to palm@des.qld.gov.au or mailed to: Department of Environment and Science Permit and License Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001 c) Undertake the development generally in accordance with the erosion and sediment control plan; and d) Provide written evidence from a suitably qualified person that all elements of this condition have been complied with.	a) Prior to works occurring. b) Prior to works occurring. c) While works are occurring. a) Upon completion of the works.
17.	Should the proposed works 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.
18.	Submit "As Constructed drawings" to palm@des.qld.gov.au or mail to: Department of Environment and Science Permit and License Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001	Within two (2) weeks of the completion of the works.
19.	a) In the event that the works cause disturbance or oxidisation of	a) Upon disturbance

	<p>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.</p> <p>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:</p> <p>Department of Environment and Science Permit and License Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001</p>	<p>or oxidation until the affected soil has been neutralised or contained.</p> <p>a) At the time the soils have been neutralised or contained.</p>
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Attachment 2—Reasons for decision to impose conditions

The reasons for SARA's referral agency response are:

- All aspects of the development of a wharf have a functional requirement to be located on tidal land.
- The development is an extension of an existing permanent structure that cannot be relocated or abandoned and cannot feasibly be located elsewhere.
- The proposed development complies with or can be conditioned to comply with the State Development Assessment Provisions.
- The development has been designed to minimise impacts on sensitive receptors including Matters of State Environmental Significance.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Advice to the Assessment Manager

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) v2.6. If a word remains undefined it has its ordinary meaning. |
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Attachment 4—Changed Plans Referred to in the Referral Agency Response

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Attachment 2 – Extract on Appeal Rights

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 an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the Plumbing and Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the Plumbing and Drainage Act 2018—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
- (g) 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**.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

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			
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul style="list-style-type: none"> (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

<i>Applicant name:</i>	North Queensland Bulk Ports Corporation
<i>Applicant contact details:</i>	Anoop Pillai GPO Box 409 BRISBANE QLD 4001

2. Property description of proposed development

<i>Port:</i>	Mackay
<i>Street address:</i>	Harbour Road, Mackay Harbour Qld 4740
<i>Real property description:</i>	Lot 61 SP118293 and Lot 63 SP143358
<i>Local government area:</i>	Mackay Regional Council

3. Development details

<i>Approved development:</i>	Operational works – 10.6.3.3.1 – Fisheries (marine plants) Operational works – 10.17.3.2.1 – Tidal Works Operational works – 10.17.3.1.1 – Tidal Works
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4. Assessment matters

The application has been assessed against:

- Port of Mackay Land Use Plan (November 2009).
- State Development Assessment Provisions, version 2.1
- 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:

- Complies with and contributes toward the achievement of the desired environmental outcomes of the Port of Mackay Land Use Plan (November 2009). and the applicable regional policies
- Complies with the State Development Assessment Provisions
- 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.

Port Development Approval

Port of Mackay Land Use Plan (November 2009)

1. Details of approval

<i>Applicant:</i>	North Queensland Bulk Ports Corporation
<i>Approved proposal:</i>	Extension to existing Wharf 1 at the Port of Mackay
<i>Currency of approval</i>	This development approval will lapse if the approved development is not substantially commenced within four (4) years of the date of approval.
<i>Date of decision</i>	17 August 2020
<i>Decision:</i>	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved subject to conditions

2. Property description of proposed development

<i>Port:</i>	Mackay
<i>Street address:</i>	Harbour Road, Mackay Harbour Qld 4740
<i>Real property description:</i>	Lot 61 SP118293 and Lot 63 SP143358

3. Approved drawings and documents

The following drawings and documents are approved by NQBP as the basis for the works. Copies of these approved drawings are provided as an enclosure.

<i>Plan / Document name</i>	<i>Plan / Document number</i>	<i>Date</i>
272746-CS-011 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-012 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-021 Issue 2	Revetment layout	22/06/2020

4. Additional approvals required

This Port Development Approval is limited to proposal described above. At no time should this document be interpreted to imply approval to any other development, operation or land use.

This Port Development Approval does not remove the requirement for any other legislative approval (including approvals under the *Planning Act 2016*).

It is the proponent's responsibility to ensure all necessary approvals, permits and licences are obtained to undertake the proposed use / works. In particular, the applicant should note the requirement to obtain approvals for, but not limited to:

<i>Permit / licence requirements</i>	<i>Relevant agency</i>
Permit to Work	North Queensland Bulk Ports Corporation Email: PortOperations@nqbp.com.au

5. Conditions of approval

Condition	Timing
Carry out the approved development	
1. An appropriate laydown area for, all ancillary works, construction material storage and the like, is to be established at a site to be agreed with NQBP. Details of the proposed site are to be provided to NQBP for review and approval, via approvals@nqbp.com.au .	At least two (2) weeks prior to commencement of works.
2. Port operations must be notified of the proposed construction commencement dated via PortOperations@nqbp.com.au .	At least two (2) weeks prior to commencement of works.
3. The construction schedule is to be provided to the Principal Development Advisor, via approvals@nqbp.com.au .	At least two (2) weeks prior to commencement of works.
4. Provide evidence of written notice of Marine Plant Notification to NQBP via, approvals@nqbp.com.au .	At least five (5) days prior to commencement of works.
Site management	
5. The Applicant, or party acting on behalf of the applicant, is not permitted to adversely impact the effective and efficient operation of the Port.	At all times.
6. The Applicant will ensure that infrastructure, services, property assets or utilises are not damaged during the construction or operation of the approved development. If any damage results, the proponent will be required to meet all costs of the remediation / repair to the satisfaction of NQBP and / or the relevant service provider.	At all times.
General environmental management	
7. Where potential or actual environmental harm may be caused by the approved development, NQBP may at any time direct the Applicant, or persons acting on behalf of the Applicant, to: <ul style="list-style-type: none"> • cease an activity • implement appropriate impact control measures • modify work plans or methods. 	At all times.

Condition	Timing
<p>8. Any environmental emergency, incident or potentially harmful event involving the approved development must be reported to NQBP's Environment Group via environment@nqbp.com.au or 1300 129 255.</p> <p>A written report must also be provided, detailing the following information:</p> <ul style="list-style-type: none"> • name of the operator • the name and telephone number of a designated contact person • quantity and substance released • person/s involved • location and time of the release/event • likely cause of release/event • effects of the release • sampling performed and conclusions drawn • actions taken to mitigate any environmental harm • proposed actions to prevent a recurrence. 	<p>Initial report: within 24 hours of the emergency, incident or event occurring.</p> <p>Written report: within 14 days of the emergency, incident or event occurring.</p>
Community	
<p>9. Any community complaints, received by the Applicant, or party acting on behalf of the applicant, must be reported to NQBP's Planning Group via planning@nqbp.com.au or 07 3011 7900.</p> <p>A written report must also be provided, detailing the following information:</p> <ul style="list-style-type: none"> • incident subject of the complaint • investigations undertaken into the complaint • proposed action to be undertaken to prevent further complaints. 	<p>Initial report: within 24 hours of the emergency, incident or event occurring.</p> <p>Written report: within 14 days of the emergency, incident or event occurring.</p>

6. Advisory information

Please note that the information contained in this section under the heading Advisory information has been provided as advice only and does not form part of the development approval conditions. This information has been provided to advise of other obligations under state legislation or local laws that may require action to be undertaken prior to commencing the activity approved by this development approval.

NOTES

Cultural heritage duty of care

1. Section 23 of the *Aboriginal Cultural Heritage Act 2003* establishes a duty of care for all persons carrying out an activity to take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. It is the person undertaking the activity responsibility to ensure compliance with the duty of care.

A copy of the legislation can be accessed via <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AborCultHA03.pdf>

Hours of work and noise

2. Section 440R of the *Environmental Protection Act 1994* prohibits construction, building and earthworks activities likely to cause audible noise (including the entry and departure of heavy vehicles) between the hours of 6:30pm and 6:30am from Monday to Saturday and at all times on Sundays or Public Holidays.

A copy of the legislation can be accessed via

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EnvProtA94.pdf>

General safety during construction

3. The *Work Health and Safety Act 2011* establishes a number of obligations relevant to the project, in particular:


- a. Under section 19(2), a person conducting a business or undertaking must ensure the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- b. Under section 20(2), the person in control of the workplace is obliged to ensure that the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

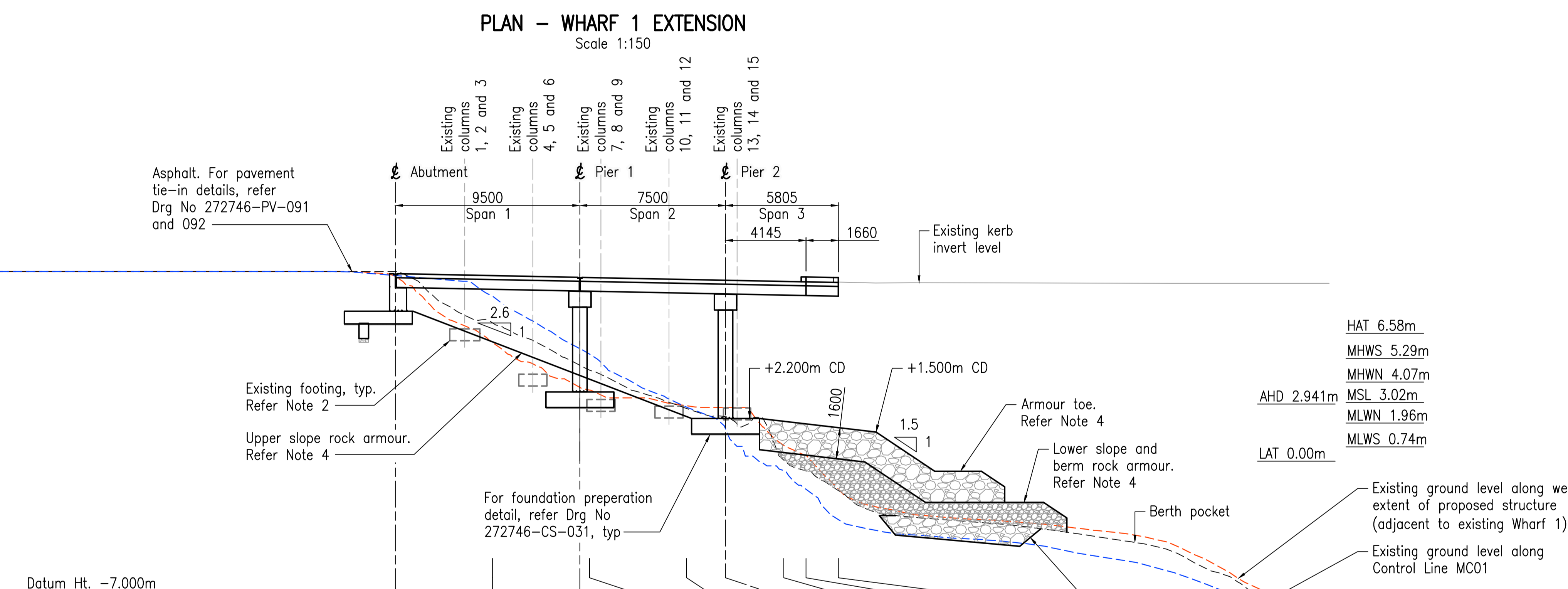
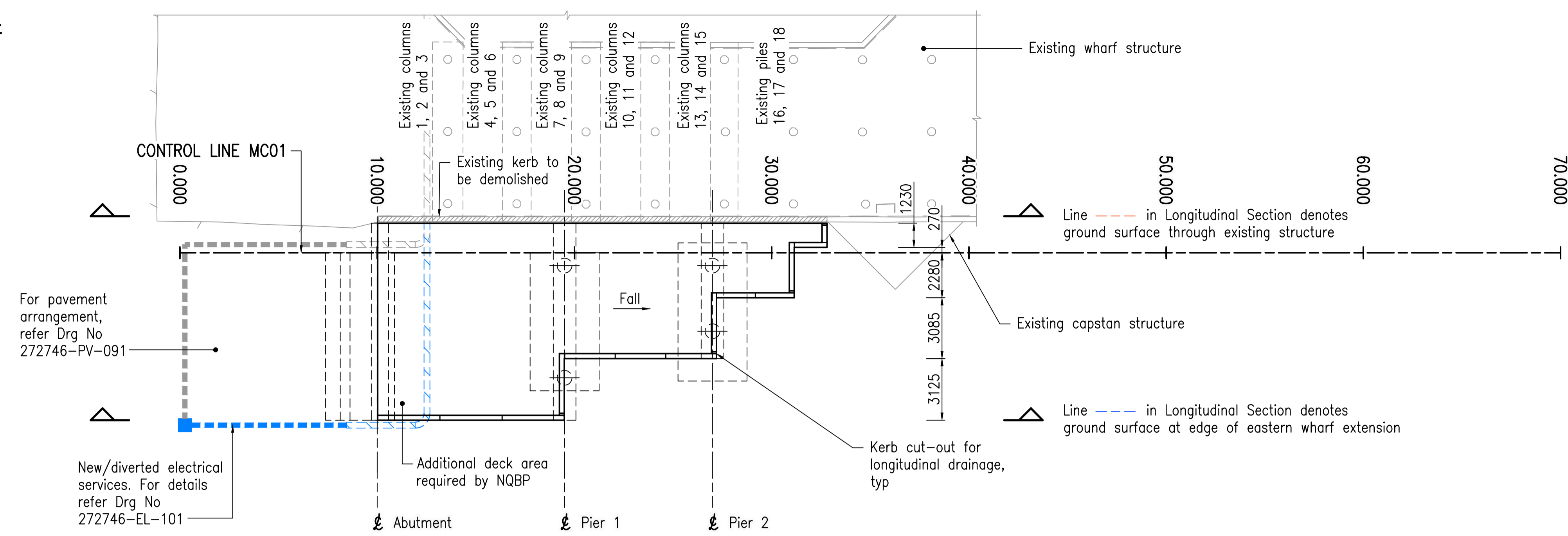
A copy of the legislation can be accessed via

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf>


Approved drawings

<i>Plan / Document name</i>	<i>Plan / Document number</i>	<i>Date</i>
272746-CS-011 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-012 Issue 5	General Arrangement – Sheet 1	22/06/2020
272746-CS-021 Issue 2	Revetment layout	22/06/2020

NORTH QUEENSLAND BULK PORTS CORPORATION
APPROVED SUBJECT TO CONDITIONS
 NQBP ref: PL/04/02/00014
 Signed: 
 Date: 17/08/2020



CHAINAGE (m) Control Line MC01	10.000	15.000	19.500	20.000	25.000	27.000	30.000	31.145	32.805
FINISHED DECK HEIGHT	9.645		9.458			9.309		9.194	
EXISTING KERB INVERT LEVEL	9.667	9.575	9.469	9.457	9.350	9.309	9.260	9.243	9.216
EXISTING SURFACE HEIGHT	9.761	7.123	4.936	4.685	2.710	2.291	0.059	-0.500	-1.510
	9.532	8.494	5.780	5.509	2.779	1.667	-0.479	-1.447	-3.002
	9.505	6.107	3.798	3.661	2.853	2.761	0.817	0.282	-1.429

- LEGEND**
 Denotes existing kerb to be demolished
- NOTES**
- For General Notes refer Drg No 272746-CS-002 and 003.
 - Top and depth of existing footings shown indicatively from dimensions provided by NQBP.
 - Existing rock armour within the armour grading curve to be retained, see Project Specification 272746-00-SPE-001 for requirements.
 - For revetment details, refer Drg No 272746-CS-021 to 024.

NOT FOR CONSTRUCTION

Approved by: Alina Alvarez Structural Design RPEQ No. 18614	Approved by: Attila Gubicak Geotechnical Design RPEQ No. 19702	Approved by: Michael Moss Rock Revetment Design RPEQ No. 15787
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Issue	Description	Date	By	Chkd	Appd
5	85% External Issue	22/06/20	WTL	AA	EOD
4	Internal Review Issue	12/06/20	WTL	AA	EOD
3	Preliminary Issue Incorporating NQBP Comments	3/02/20	CM	MJM	MK
2	Preliminary Issue Incorporating NQBP Comments	15/01/20	MD	MJM	MK
1	Preliminary Issue	10/01/20	GH	MJM	MK

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CONSULT AUSTRALIA
 Member Firm
 Arup Pty Ltd
 ABN 19 000 966 165

Client: North Queensland Bulk Ports
 Job Title: Mackay Wharf 1 Extension

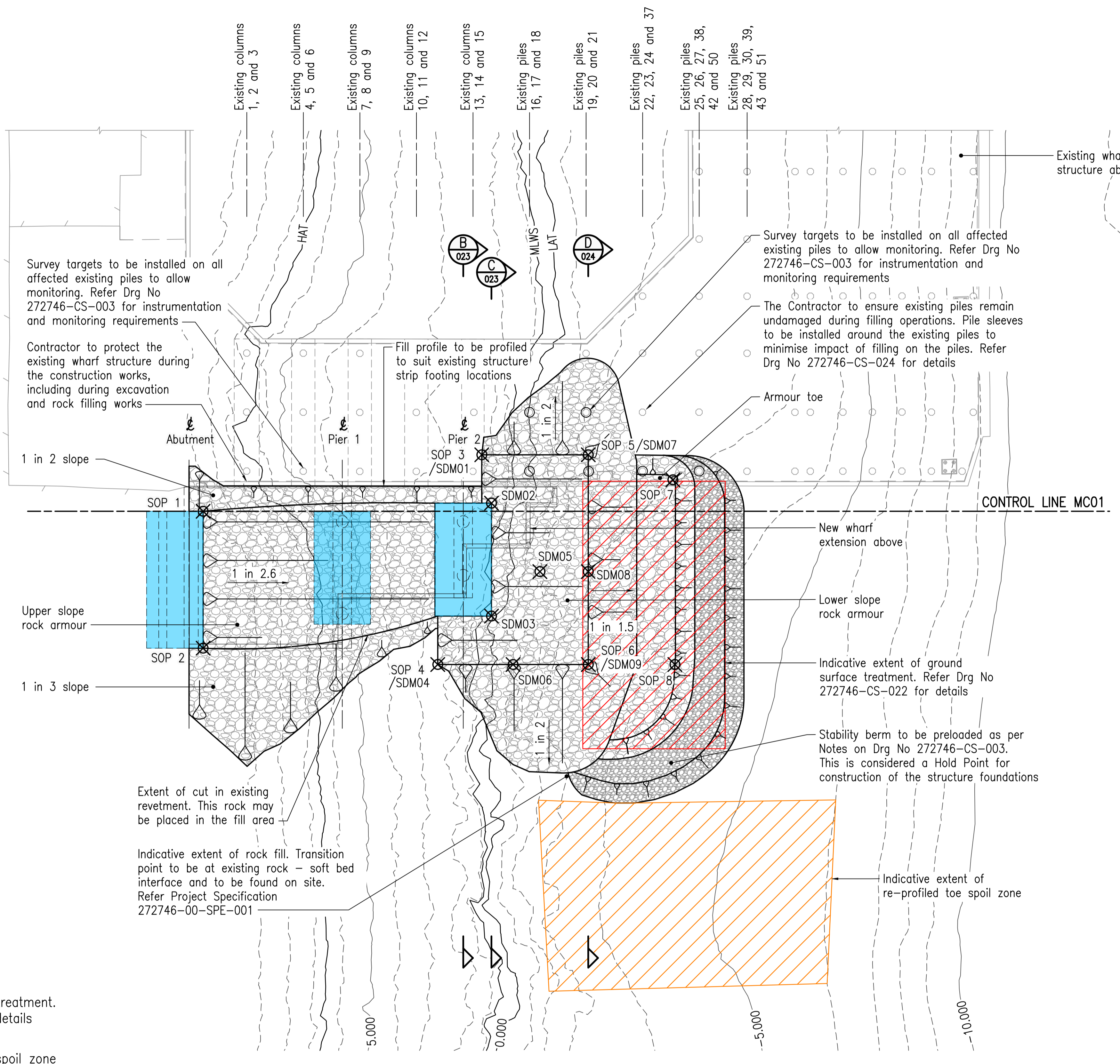
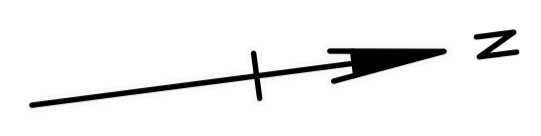
General Arrangement
 Sheet 1

Scale at A1: 1:150	Discipline: Civil Structures
Job No: 272746-00	Drawing Status: For Approval
Drawing No: 272746-CS-011	Issue: 5

A1
1
2
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NORTH QUEENSLAND BULK PORTS CORPORATION
APPROVED SUBJECT TO CONDITIONS
 NQBP ref: PL/04/02/00014
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- LEGEND**
- SDM01 Proposed surface displacement markers for preload monitoring
 - SOP 1 Set Out Points. Refer to Set Out Points table
 - Rock armour. Refer Drg 272746-CS-022 for details
 - Rock core. Refer Drg 272746-CS-022 for details
 - Extent of foundation preparation. Refer Drg 272746-CS-031 for details
 - Approximate extent of new pavement. Refer Drg 272746-PV-091 for details
 - Indicative extent of ground surface treatment. Refer Drg No 272746-CS-022 for details
 - Indicative extent of re-profiled toe spoil zone

SET OUT POINTS

SOP	EASTING	NORTHING
SOP 1	731539.293	7664096.507
SOP 2	731547.711	7664095.405
SOP 3	731538.064	7664114.087
SOP 4	731550.600	7664109.696
SOP 5	731538.921	7664120.634
SOP 6	731551.811	7664118.947
SOP 7	731541.144	7664125.631
SOP 8	731552.508	7664124.271

NOTES
 1. For General Notes refer Drg No 272746-CS-002 and 003.

NOT FOR CONSTRUCTION

Approved by:
 Michael Moss
 Rock Revetment Design
 RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
2	85% External Issue	22/08/20	WTL	MJM	EOD
1	Internal Review Issue	12/06/20	WTL	MJM	EOD

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Client: North Queensland Bulk Ports
 Job Title: Mackay Wharf 1 Extension

Revetment Layout

Scale at A1: 1:150
 Discipline: Civil Structures
 Job No: 272746-00
 Drawing Status: For Approval
 Drawing No: 272746-CS-021
 Issue: 2