



13 October 2020

Daniel Harris
North Queensland Bulk Ports Corporation
PO Box 3340
MACKAY QLD 4740

Dear Daniel,

DEVELOPMENT APPROVAL PACKAGE FOR HALF TIDE TUG HARBOUR ACCESS STAIRS ON LAND DESCRIBED AS LOT 143 AND 144 ON SP121683, AT THE PORT OF HAY POINT

NQBP Reference: PL/03/02/00010

North Queensland Bulk Ports Corporation Ltd (NQBP) wish to advise that your development application seeking approval for the Half Tide Tug Harbour access stairs at the Port of Hay Point was approved in full subject to conditions on 13 October 2020.

Approvals have been given with respect to operational works being tidal works assessable under the *Planning Act 2016* and Port Development Approval under the Port of Hay Point Land Use Plan (April 2010).

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

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

Yours sincerely

Julie Keane
Principal, Development Approvals

Telephone: (07) 3011 7912
Email: JKeane@nqbp.com.au
Doc Reference: E20/40629

Enc: Decision notice issued under s 63 of the *Planning Act 2016*
Statement of reasons issued under s 56 of the *Planning Act 2016*
Port development approval issued under the Port of Hay Point Land Use Plan (April 2010).
Approved drawings

Cc: Department of State Development, Manufacturing, Infrastructure and Planning
Mackay Regional Council

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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>Approved development:</i>	Tidal Works assessable under Schedule 10, Part 17, Section 28 (1)(a), being installation of stairs extending below HAT.
<i>Date of decision</i>	13 October 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"/> Preliminary approval only (with conditions) <input type="checkbox"/> Part approval only (with conditions) <input type="checkbox"/> Part approval only (without conditions) <input checked="" type="checkbox"/> Approval (with conditions)

2. Property description of proposed development

<i>Port:</i>	Hay Point
<i>Street address:</i>	Hay Point Road, Hay Point
<i>Real property description:</i>	Lot 143 and 144 on SP121683
<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>Drawing or document</i>	<i>Number</i>	<i>Revision / Date</i>
Locality Plan and Drawing Index	264122-90-DRG-900	Rev 1 29/10/2019
Beach Access Stairs – Plan	264122-90-DRG-910	Rev 3 29/10/2019
Beach Access Stairs – Long Section and Details	264122-90-DRG-920	Rev 3 29/10/2019

4. Referral agency response

The relevant referral agency response is listed below, and attached to this decision notice.

<i>Referral agency</i>	<i>Date of response</i>	<i>Reference number</i>
Department of State Development, Manufacturing, Infrastructure and Planning	23 September 2020	2008-18105 SRA

5. Properly made submissions

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

6. Additional development permits

This development approval is limited to works described as the Approved Development and the associated approval drawings. At no time should this document be interpreted to imply approval to any other development, operation or land use.

Please be advised that it is the applicant's responsibility to ensure that all other necessary development permits are in place prior to work commencing.

7. Currency period for the approval

This development approval will lapse if the development has not substantially commenced within two (2) years after the approval takes effect.

8. 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

Condition		Timing												
Carry out the approved development														
<p>1. The development must be undertaken generally in accordance the plans and supporting documentation reference in the table below and attached which form part of this approval, unless otherwise specified by any condition of this approval.</p> <table border="1"> <thead> <tr> <th>Drawing or document</th> <th>Number</th> <th>Revision / Date</th> </tr> </thead> <tbody> <tr> <td>Locality Plan and Drawing Index</td> <td>264122-90-DRG-900</td> <td>Rev 1 29/10/2019</td> </tr> <tr> <td>Beach Access Stairs – Plan</td> <td>264122-90-DRG-910</td> <td>Rev 3 29/10/2019</td> </tr> <tr> <td>Beach Access Stairs – Long Section and Details</td> <td>264122-90-DRG-920</td> <td>Rev 3 29/10/2019</td> </tr> </tbody> </table>		Drawing or document	Number	Revision / Date	Locality Plan and Drawing Index	264122-90-DRG-900	Rev 1 29/10/2019	Beach Access Stairs – Plan	264122-90-DRG-910	Rev 3 29/10/2019	Beach Access Stairs – Long Section and Details	264122-90-DRG-920	Rev 3 29/10/2019	At all times.
Drawing or document	Number	Revision / Date												
Locality Plan and Drawing Index	264122-90-DRG-900	Rev 1 29/10/2019												
Beach Access Stairs – Plan	264122-90-DRG-910	Rev 3 29/10/2019												
Beach Access Stairs – Long Section and Details	264122-90-DRG-920	Rev 3 29/10/2019												
<p>2. “As constructed” drawings and design certificates certified by a RPEQ must be submitted to NQBP via approvals@nqbp.com.au. The following must be provided:</p> <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 completion of works.												
<p>3. No marine sediment is to be removed from the area of the toe of the stairs above the line of highest astronomical tide.</p>		At all times.												
Environmental management														
<p>4. A final Construction Environmental Management Plan is to be submitted for review and approval to NQBP via approvals@nqbp.com.au. The CEMP is to incorporate the following minimum requirements:</p> <ul style="list-style-type: none"> • Measures to minimise turbidity generated during seabed works, including use of silt screen around the works, visual monitoring of turbidity levels and conduct of works only at low and mid tide. • Measures for the management of potential acid sulfate soils • Measures to minimise and manage site spills. • Measures to minimise and manage noise and dust emissions. • Measure to manage construction waste 		Four (4) weeks prior to commencement of works.												
<p>5. 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.</p>		At all times.												

Condition	Timing
Traffic management	
<p>6. A Traffic Management Plan must be provided for review and approval by NQBP via approvals@nqbp.com.au. The plan must address:</p> <ul style="list-style-type: none"> • Safe operation requirements for construction vehicles within the public boat ramp and car park areas • Directional signage requirements and specifications 	<p>Four (4) weeks prior to commencement of works.</p>

Attachment 2

REFERRAL AGENCY RESPONSE

<i>Referral agency</i>	<i>Date of response</i>	<i>Reference number</i>
Department of State Development, Manufacturing, Infrastructure and Planning	23 September 2020	2008-18105 SRA



Queensland Treasury

SARA reference: 2008-18105 SRA
 NQBP reference: PL/03/02/00010

23 September 2020

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

Attention: Ms Julie Keane

Dear Ms Keane

SARA response—Hay Point Road, Hay Point;

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 25 August 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	23 September 2020
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	Operational Work (Tidal Works) for installation of stairs extending below HAT.
SARA role:	Referral Agency.	
SARA trigger:	10.17.3.1.1 - Schedule 10, Part 17, Division 3, Table 1 (Planning Regulation 2017) - Development application for Operational Work that is Tidal Work	
	10.17.3.2.1 - Schedule 10, Part 17, Division 3, Table 2 (Planning Regulation 2017) - Development application for Operational Work that is Tidal Work	

SARA reference: 2008-18105 SRA
Assessment Manager: The North Queensland Bulk Ports
Street address: Hay Point Road, Hay Point
Real property description: Lot 143 on SP121683 and Lot 144 SP121683
Applicant name: North Queensland Bulk Ports
Applicant contact details: PO Box 3340
North Mackay QLD 4740
dharris@nqbp.com.au

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 (section 30 Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 4**.

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

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

Yours sincerely



Patrick Ruettjes
Manager (Planning)
Mackay Isaac Whitsunday Regional Office

cc Mr Daniel Harris, dharris@nqbp.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Plans Referred to in the Referral Agency Response

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

No.	Conditions	Condition timing
Operational Work		
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):		
1.	<p>The construction of the beach access stairs must be undertaken generally in accordance with the following plans:</p> <ul style="list-style-type: none"> a) HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LOCALITY AND DRAWING INDEX prepared by ARUP dated 29/10/19, Drawing Number 264122-90-DRG-900 issue 1. b) HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LONG SECTION & DETAILS prepared by ARUP dated 29/10/19, Drawing Number 264122-90-DRG-920 issue 3. c) HALF TIDE BOAT RAMP BEACH ACCESS STAIRS PLAN prepared by ARUP dated 29/10/19, Drawing Number 264122-90-DRG-910 issue 3. 	For the duration of the works.
2.	For the proposed works, only use clean materials and ensure that the works do not cause contamination.	For the duration of the 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 the works.
4.	<p>Obtain RPEQ certification confirming that the tidal works have been constructed in accordance with the current version of the guideline 'Building and engineering standards for tidal works'.</p> <p>A copy of the certification must be provided to palm@des.qld.gov.au or mailed to:</p> <p style="padding-left: 40px;">Department of Environment and Science Permit and Licence Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001</p>	Within two (2) weeks of the completion of the works.
5.	<p>Should the beach access stairs collapse, fail or otherwise suffer structural consequences which impact their integrity or ability to function as intended, the works must be:</p> <ul style="list-style-type: none"> 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.

6.	<p>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.</p> <p>b) Certification by an appropriately 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 Licence Management Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001</p> <p>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.</p>	<p>(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained.</p> <p>(b) At the time the soils have been neutralised or contained.</p>
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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) v2.6. 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 SARA's decision are:

- The proposed development can be conditioned to ensure compliance with all of the relevant performance outcomes of the State Development Assessment Provisions.
- The works are coastal dependent development and cannot be feasibly located elsewhere.
- The proposed works will not impact on coastal processes or landform functions.
- No Matter of State Environmental Significance will be affected.

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 4—Change representation provisions

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Attachment 5—Plans Referred to in the Referral Agency Response

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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.

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS



LOCALITY PLAN


DRAWING INDEX

ARUP NUMBER	TITLE
264122-90-DRG-900	LOCALITY PLAN AND DRAWING INDEX
264122-90-DRG-910	BEACH ACCESS STAIRS - PLAN
264122-90-DRG-920	BEACH ACCESS STAIRS - LONG SECTION & DETAILS

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2008-18105 SRA

Date: 23 September 2020



ISSUED FOR CONSTRUCTION

Approved by:
Michael Moss
M. Moss
RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
1	Issued For Construction	29/10/19	TM	MK	MM

ARUP
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www.arup.com

CONSULT AUSTRALIA
Member Firm
Arup Pty Ltd
ABN 16 100 906 165

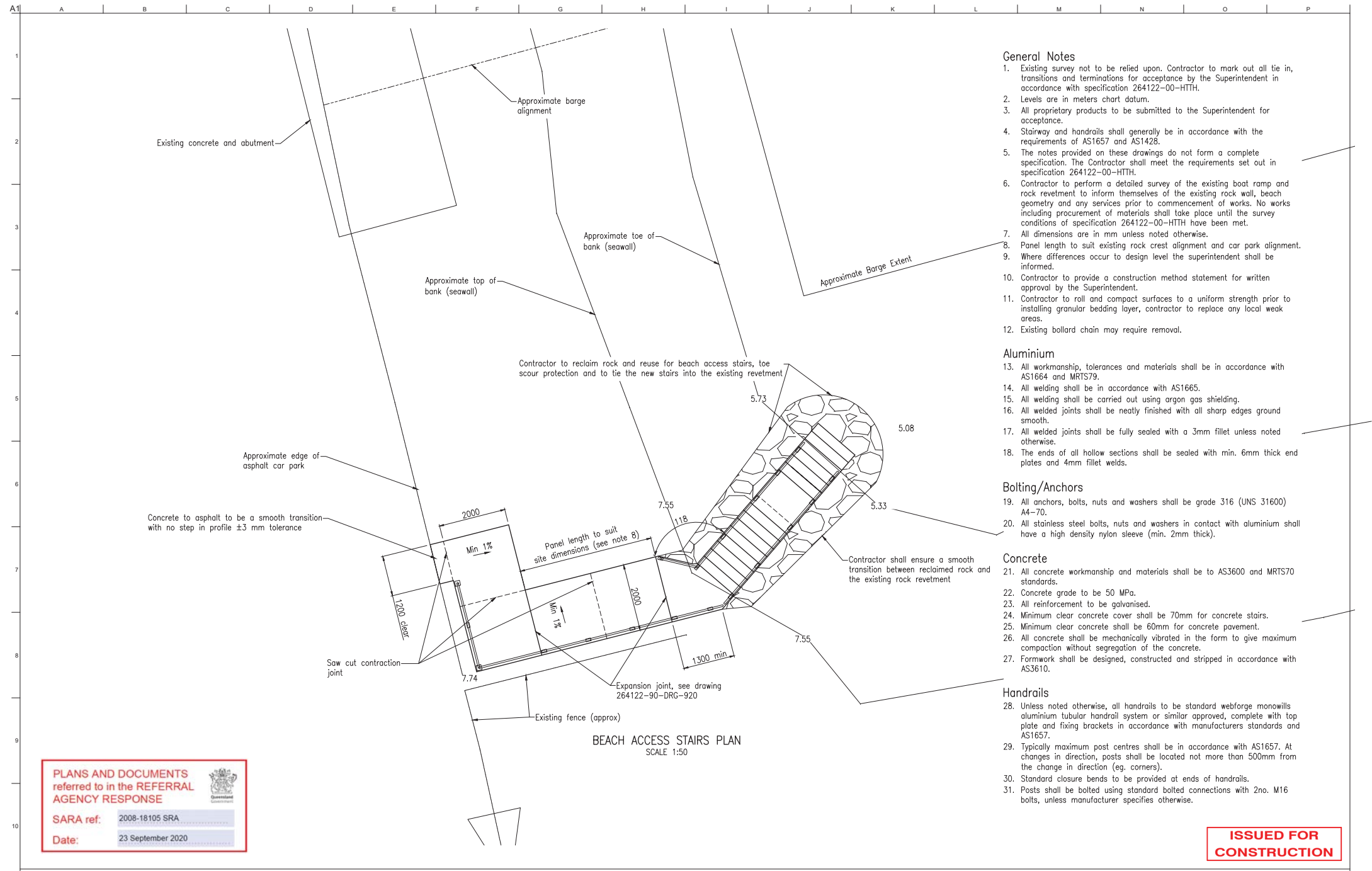
Client
NORTH QUEENSLAND BULK PORTS CORPORATION



Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LOCALITY & DRAWING INDEX

Scale at A1	1:100
Discipline	
Job No.	264122-00
Drawing Status	Construction
Drawing No.	264122-90-DRG-900
Issue	1



General Notes

1. Existing survey not to be relied upon. Contractor to mark out all tie in, transitions and terminations for acceptance by the Superintendent in accordance with specification 264122-00-HTTH.
2. Levels are in meters chart datum.
3. All proprietary products to be submitted to the Superintendent for acceptance.
4. Stairway and handrails shall generally be in accordance with the requirements of AS1657 and AS1428.
5. The notes provided on these drawings do not form a complete specification. The Contractor shall meet the requirements set out in specification 264122-00-HTTH.
6. Contractor to perform a detailed survey of the existing boat ramp and rock revetment to inform themselves of the existing rock wall, beach geometry and any services prior to commencement of works. No works including procurement of materials shall take place until the survey conditions of specification 264122-00-HTTH have been met.
7. All dimensions are in mm unless noted otherwise.
8. Panel length to suit existing rock crest alignment and car park alignment.
9. Where differences occur to design level the superintendent shall be informed.
10. Contractor to provide a construction method statement for written approval by the Superintendent.
11. Contractor to roll and compact surfaces to a uniform strength prior to installing granular bedding layer, contractor to replace any local weak areas.
12. Existing bollard chain may require removal.

Aluminium

13. All workmanship, tolerances and materials shall be in accordance with AS1664 and MRTS79.
14. All welding shall be in accordance with AS1665.
15. All welding shall be carried out using argon gas shielding.
16. All welded joints shall be neatly finished with all sharp edges ground smooth.
17. All welded joints shall be fully sealed with a 3mm fillet unless noted otherwise.
18. The ends of all hollow sections shall be sealed with min. 6mm thick end plates and 4mm fillet welds.

Bolting/Anchors

19. All anchors, bolts, nuts and washers shall be grade 316 (UNS 31600) A4-70.
20. All stainless steel bolts, nuts and washers in contact with aluminium shall have a high density nylon sleeve (min. 2mm thick).

Concrete

21. All concrete workmanship and materials shall be to AS3600 and MRTS70 standards.
22. Concrete grade to be 50 MPa.
23. All reinforcement to be galvanised.
24. Minimum clear concrete cover shall be 70mm for concrete stairs.
25. Minimum clear concrete shall be 60mm for concrete pavement.
26. All concrete shall be mechanically vibrated in the form to give maximum compaction without segregation of the concrete.
27. Formwork shall be designed, constructed and stripped in accordance with AS3610.

Handrails

28. Unless noted otherwise, all handrails to be standard webforge monowills aluminium tubular handrail system or similar approved, complete with top plate and fixing brackets in accordance with manufacturers standards and AS1657.
29. Typically maximum post centres shall be in accordance with AS1657. At changes in direction, posts shall be located not more than 500mm from the change in direction (eg. corners).
30. Standard closure bends to be provided at ends of handrails.
31. Posts shall be bolted using standard bolted connections with 2no. M16 bolts, unless manufacturer specifies otherwise.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2008-18105 SRA

Date: 23 September 2020

ISSUED FOR CONSTRUCTION

Approved by:
Michael Bliss
[Signature]
RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
3	Issued For Construction	29/10/19	TM	MM	MM
2	For Approval	29/10/19	AA	MM	MM
1	Preliminary Design	08/10/19	AA	MM	MM

ARUP

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Client
NORTH QUEENSLAND BULK PORTS CORPORATION

Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

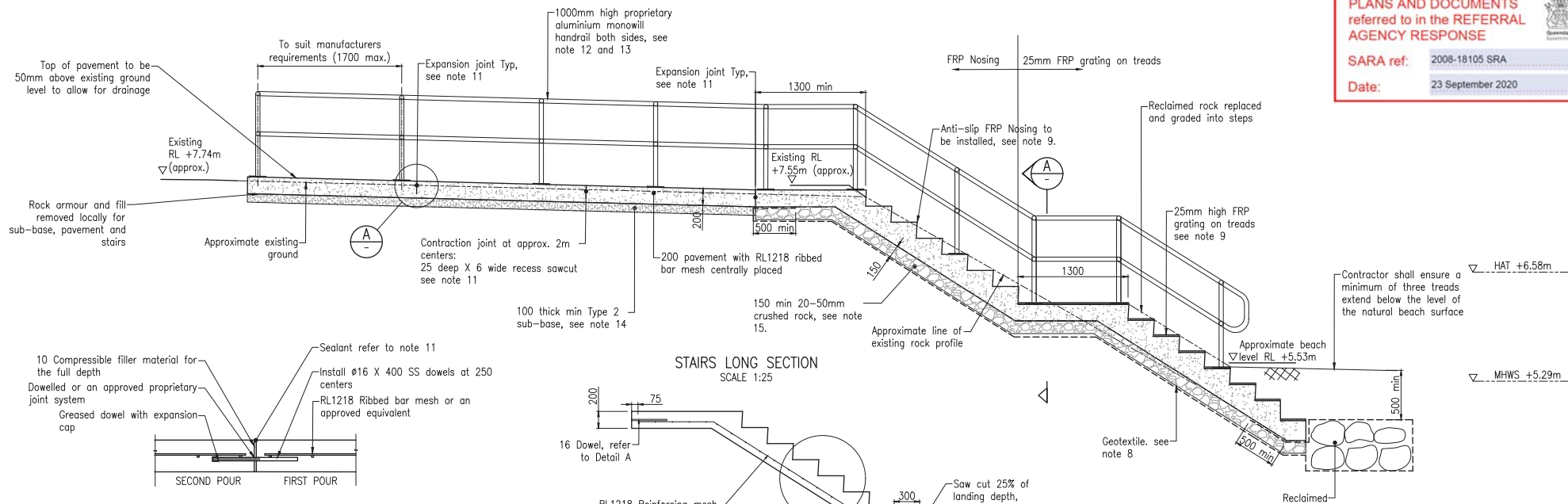
HALF TIDE BOAT RAMP BEACH ACCESS STAIRS PLAN

Scale at A1 1:100

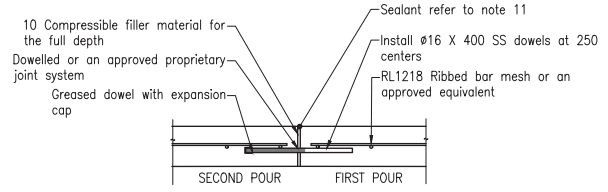
Discipline

Job No. **264122-00** Drawing Status **Construction**

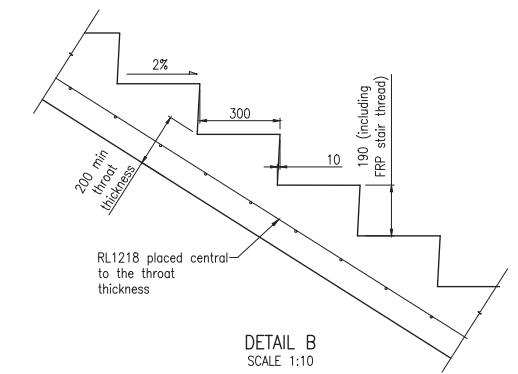
Drawing No. **264122-90-DRG-910** Issue **3**



DETAIL A - Dowelled Expansion Joint
SCALE 1:10

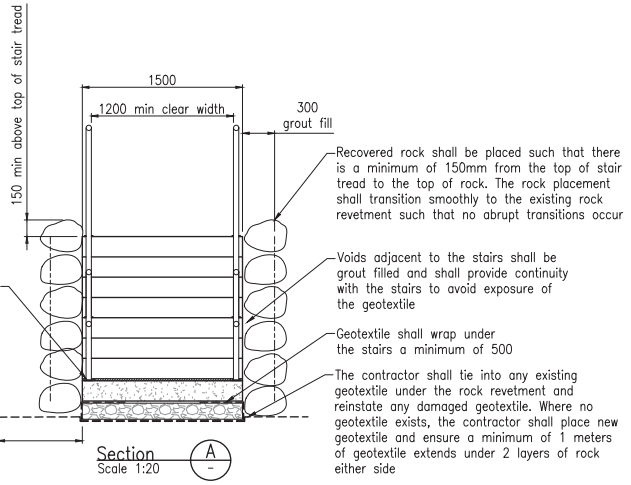


REINFORCEMENT DETAILS
SCALE 1:25



Notes

- For general notes refer to drawing 266122-90-DRG-910.
- Concrete grade to be minimum 50 MPa.
- Minimum clear concrete cover shall be 70mm for concrete stairs.
- Minimum clear concrete cover shall be 60mm for concrete pavement.
- All concrete shall be mechanically vibrated in the form to give maximum compaction without segregation of the concrete.
- Formwork shall be designed, constructed and stripped in accordance with AS3610.
- All exposed concrete surfaces including steps shall be provided with a medium brush finish to provided necessary slip resistance for pedestrians.
- Geotextile shall be strength Class E and filtration Class II in accordance with MRTS27.
- Anti-slip, gritted surface stair treads shall be FRP grating or an approved equivalent. Anti-slip FRP Nosing shall be provided on stairs without FRP grating indicated. Products shall be installed in accordance with the manufacturer's specification. Stairs to be free draining.
- Install Tactile Ground Surface Indicators in accordance with AS1428.4.
- Expansion joints and contraction joints to be sealed with a low modulus self priming sealant to manufacturers specifications. The colour of the sealant is to match the adjoining surface finish.
- Handrail shall be standard webforge monowalls tubular handrail system in aluminium or approved equivalent. Handrails shall be installed to manufacturers specification. Refer specification 264122-00-HTH.
- Handrail hold down bolts shall be cast in-situ or post-drilled and fixed using Chemset Reco502 or similar approved in accordance with the manufacturers specification. Refer specification 264122-00-HTH.
- Sub-base to be in accordance with MRTS05 type 2.
- Minimum of 150mm to top of existing rock.



ISSUED FOR CONSTRUCTION

Approved by:
Michael Bliss
[Signature]
RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
3	Issued For Construction	29/10/19	TM	MM	MM
2	For Approval	29/10/19	AA	MM	MM
1	Preliminary Design	08/10/19	AA	MM	MM

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CONSULT AUSTRALIA
Member Firm
ABN 18 100 906 165

Client
NORTH QUEENSLAND BULK PORTS CORPORATION

Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

Scale at A1 1:100

Discipline
HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LONG SECTION & DETAILS

Job No.
264122-00

Drawing Status
Construction

Drawing No.
264122-90-DRG-920

Issue
3

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			
<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>	Daniel Harris North Queensland Bulk Ports Corporation PO Box 3340 MACKAY QLD 4740

2. Property description of proposed development

<i>Port:</i>	Hay Point
<i>Street address:</i>	Hay Point Road, Hay Point
<i>Real property description:</i>	Lot 143 and 144 on SP121683
<i>Local government area:</i>	Mackay Regional Council

3. Development details

<i>Approved development:</i>	Tidal Works assessable under Schedule 10, Part 17, Section 28 (1)(a), being installation of stairs extending below HAT.
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4. Assessment matters

The application has been assessed against:

- Port of Hay Point Land Use Plan 2010.
- 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 and contributes toward the achievement of the desired environmental outcomes of the Port of Hay Point Land Use Plan 2010.
- Is consistent with the functions of the Port as specified in the *Transport Infrastructure Act 1994*, chapter 8, part 3

Evidence or other material on which the findings were based:

- Material provided in the development application.

Port Development Approval

Port of Hay Point Land Use Plan (April 2010)

1. Details of approval

<i>Applicant:</i>	North Queensland Bulk Ports Corporation
<i>Approved development:</i>	Installation of public access stairs at the Half Tide Tug Harbour
<i>Currency of approval</i>	This development approval will lapse if the development has not substantially commenced within two (2) years after the approval takes effect.
<i>Date of decision</i>	13 October 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>	Hay Point
<i>Street address:</i>	Hay Point Road, Hay Point
<i>Real property description:</i>	Lot 143 on SP121683 and Lot 144 on SP121683
<i>Lease:</i>	Not applicable
<i>Lessee:</i>	Not applicable

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>Drawing or document</i>	<i>Number</i>	<i>Revision / Date</i>
Locality Plan and Drawing Index	264122-90-DRG-900	Rev 1 29/10/2019
Beach Access Stairs – Plan	264122-90-DRG-910	Rev 3 29/10/2019
Beach Access Stairs – Long Section and Details	264122-90-DRG-920	Rev 3 29/10/2019

4. Additional approvals required

This Port Development Approval is limited to Approved Development 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.

5. 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
<p>1. Section 23 of the <i>Aboriginal Cultural Heritage Act 2003</i> 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.</p> <p>A copy of the legislation can be accessed via https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AborCultHA03.pdf</p>
Hours of work and noise
<p>2. Section 440R of the <i>Environmental Protection Act 1994</i> 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.</p> <p>A copy of the legislation can be accessed via https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EnvProtA94.pdf</p>
General safety during construction
<p>3. The <i>Work Health and Safety Act 2011</i> establishes a number of obligations relevant to the project, in particular:</p> <ol style="list-style-type: none"> 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. <p>A copy of the legislation can be accessed via https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf</p>

6. Conditions of approval

Condition	Timing
Carry out the approved development	
1. The Applicant is to provide details regarding the location and extent of the construction laydown area to be utilised during construction works.	Four (4) weeks prior to commencement of works.
2. NQBP Port Operations (via PortOperations@nqbp.com.au) must be advised of commencement of works and project timing.	Two (2) weeks prior to commencement of works.
3. Construction works must only occur between 6.30 am and 6.30 pm Monday to Saturday (excluding public holidays).	During construction works.
Site management	
4. All construction vehicle parking must be accommodated within the lay down area agreed in Condition 1.	At all times.
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 07 4969 7000</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. A communication strategy must be submitted for approval by NQBP via approvals@nqbp.com.au. The strategy must address:</p> <ul style="list-style-type: none"> • Notification requirements and procedures to alert port users of disruptions to the use of the public boat ramp and car park • Signage requirements 	<p>Four (4) weeks prior to commencement of works.</p>
<p>10. Access to the public boat ramp facilities (including car parking) must be maintained during weekends, public and school holiday periods.</p>	<p>At all times.</p>
<p>11. Any community complaints, received by the Applicant, or party acting on behalf of the applicant, must be reported to NQBP's via approvals@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>

Approved Drawings

<i>Drawing or document</i>	<i>Number</i>	<i>Revision / Date</i>
Locality Plan and Drawing Index	264122-90-DRG-900	Rev 1 29/10/2019
Beach Access Stairs – Plan	264122-90-DRG-910	Rev 3 29/10/2019
Beach Access Stairs – Long Section and Details	264122-90-DRG-920	Rev 3 29/10/2019

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS



LOCALITY PLAN

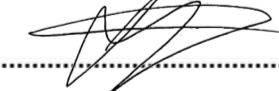
DRAWING INDEX

ARUP NUMBER	TITLE
264122-90-DRG-900	LOCALITY PLAN AND DRAWING INDEX
264122-90-DRG-910	BEACH ACCESS STAIRS - PLAN
264122-90-DRG-920	BEACH ACCESS STAIRS - LONG SECTION & DETAILS

NORTH QUEENSLAND BULK PORTS CORPORATION

APPROVED SUBJECT TO CONDITIONS

NQBP ref: PL/03/02/00010

Signed: 

Date: 13/10/2020

ISSUED FOR CONSTRUCTION

Approved by:
Michael Moss

RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
1	Issued For Construction	29/10/19	TM	MK	MM

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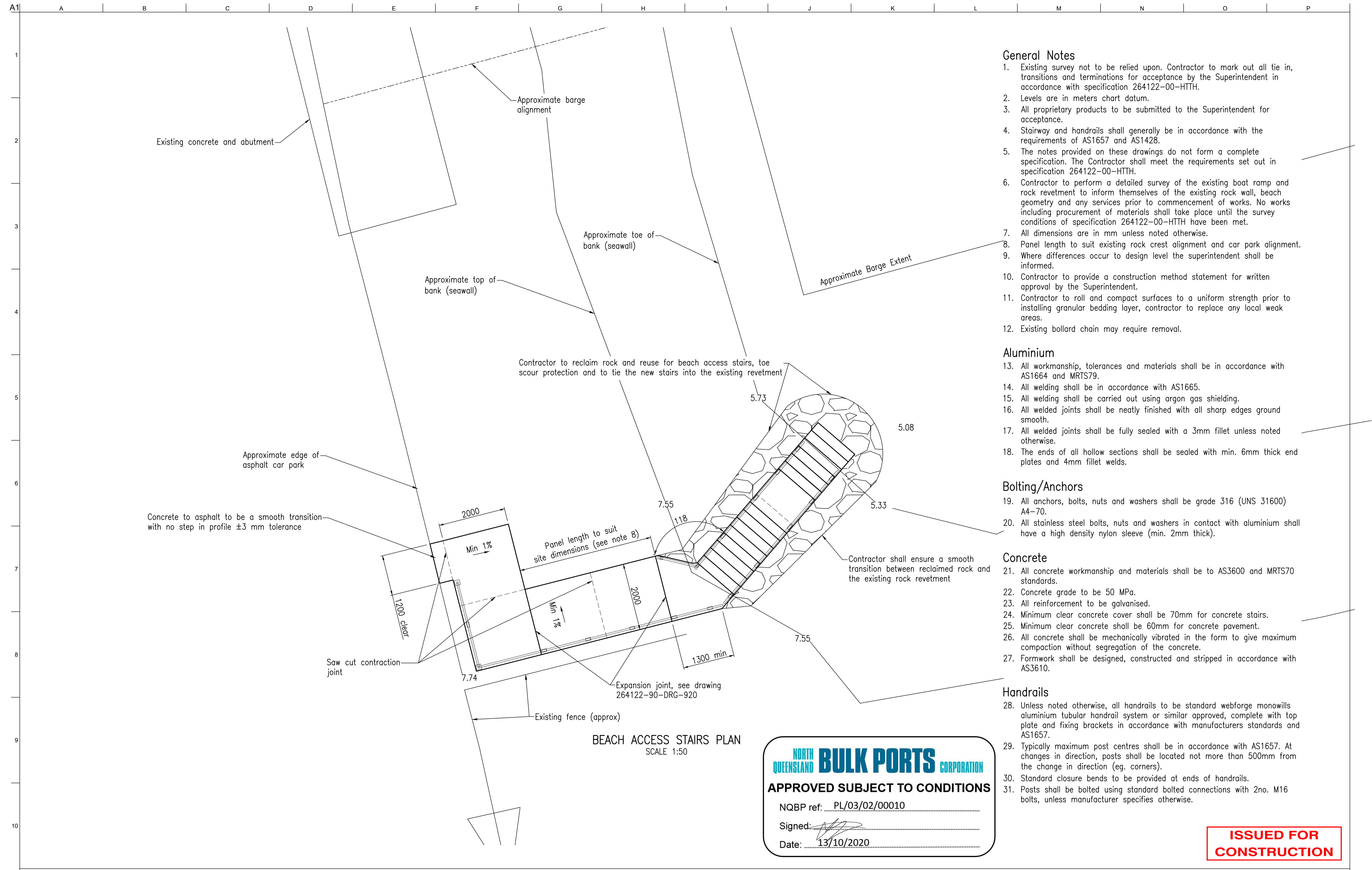
Client
NORTH QUEENSLAND BULK PORTS CORPORATION


Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LOCALITY & DRAWING INDEX

Scale at A1 1:100

Discipline	Job No	Drawing Status	Drawing No	Issue
	264122-00	Construction	264122-90-DRG-900	1



BEACH ACCESS STAIRS PLAN
SCALE 1:50

General Notes

- Existing survey not to be relied upon. Contractor to mark out all tie in, transitions and terminations for acceptance by the Superintendent in accordance with specification 264122-00-HTTH.
- Levels are in meters chart datum.
- All proprietary products to be submitted to the Superintendent for acceptance.
- Stairway and handrails shall generally be in accordance with the requirements of AS1657 and AS1428.
- The notes provided on these drawings do not form a complete specification. The Contractor shall meet the requirements set out in specification 264122-00-HTTH.
- Contractor to perform a detailed survey of the existing boat ramp and rock revetment to inform themselves of the existing rock wall, beach geometry and any services prior to commencement of works. No works including procurement of materials shall take place until the survey conditions of specification 264122-00-HTTH have been met.
- All dimensions are in mm unless noted otherwise.
- Panel length to suit existing rock crest alignment and car park alignment.
- Where differences occur to design level the superintendent shall be informed.
- Contractor to provide a construction method statement for written approval by the Superintendent.
- Contractor to roll and compact surfaces to a uniform strength prior to installing granular bedding layer, contractor to replace any local weak areas.
- Existing bollard chain may require removal.

Aluminium

- All workmanship, tolerances and materials shall be in accordance with AS1664 and MRTS79.
- All welding shall be in accordance with AS1665.
- All welding shall be carried out using argon gas shielding.
- All welded joints shall be neatly finished with all sharp edges ground smooth.
- All welded joints shall be fully sealed with a 3mm fillet unless noted otherwise.
- The ends of all hollow sections shall be sealed with min. 6mm thick end plates and 4mm fillet welds.

Bolting/Anchors

- All anchors, bolts, nuts and washers shall be grade 316 (UNS 31600) A4-70.
- All stainless steel bolts, nuts and washers in contact with aluminium shall have a high density nylon sleeve (min. 2mm thick).

Concrete

- All concrete workmanship and materials shall be to AS3600 and MRTS70 standards.
- Concrete grade to be 50 MPa.
- All reinforcement to be galvanised.
- Minimum clear concrete cover shall be 70mm for concrete stairs.
- Minimum clear concrete shall be 60mm for concrete pavement.
- All concrete shall be mechanically vibrated in the form to give maximum compaction without segregation of the concrete.
- Formwork shall be designed, constructed and stripped in accordance with AS3610.

Handrails

- Unless noted otherwise, all handrails to be standard webforge monowills aluminium tubular handrail system or similar approved, complete with top plate and fixing brackets in accordance with manufacturers standards and AS1657.
- Typically maximum post centres shall be in accordance with AS1657. At changes in direction, posts shall be located not more than 500mm from the change in direction (eg. corners).
- Standard closure bends to be provided at ends of handrails.
- Posts shall be bolted using standard bolted connections with 2no. M16 bolts, unless manufacturer specifies otherwise.

NORTH QUEENSLAND BULK PORTS CORPORATION

APPROVED SUBJECT TO CONDITIONS

NQBP ref: PL/03/02/00010

Signed: [Signature]

Date: 13/10/2020

ISSUED FOR CONSTRUCTION

Approved by:
Michael Moss
[Signature]
RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
3	Issued For Construction	29/10/19	TM	MK	MM
2	For Approval	25/10/19	AA	MM	MM
1	Preliminary Design	08/10/19	AA	MM	MM

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Client
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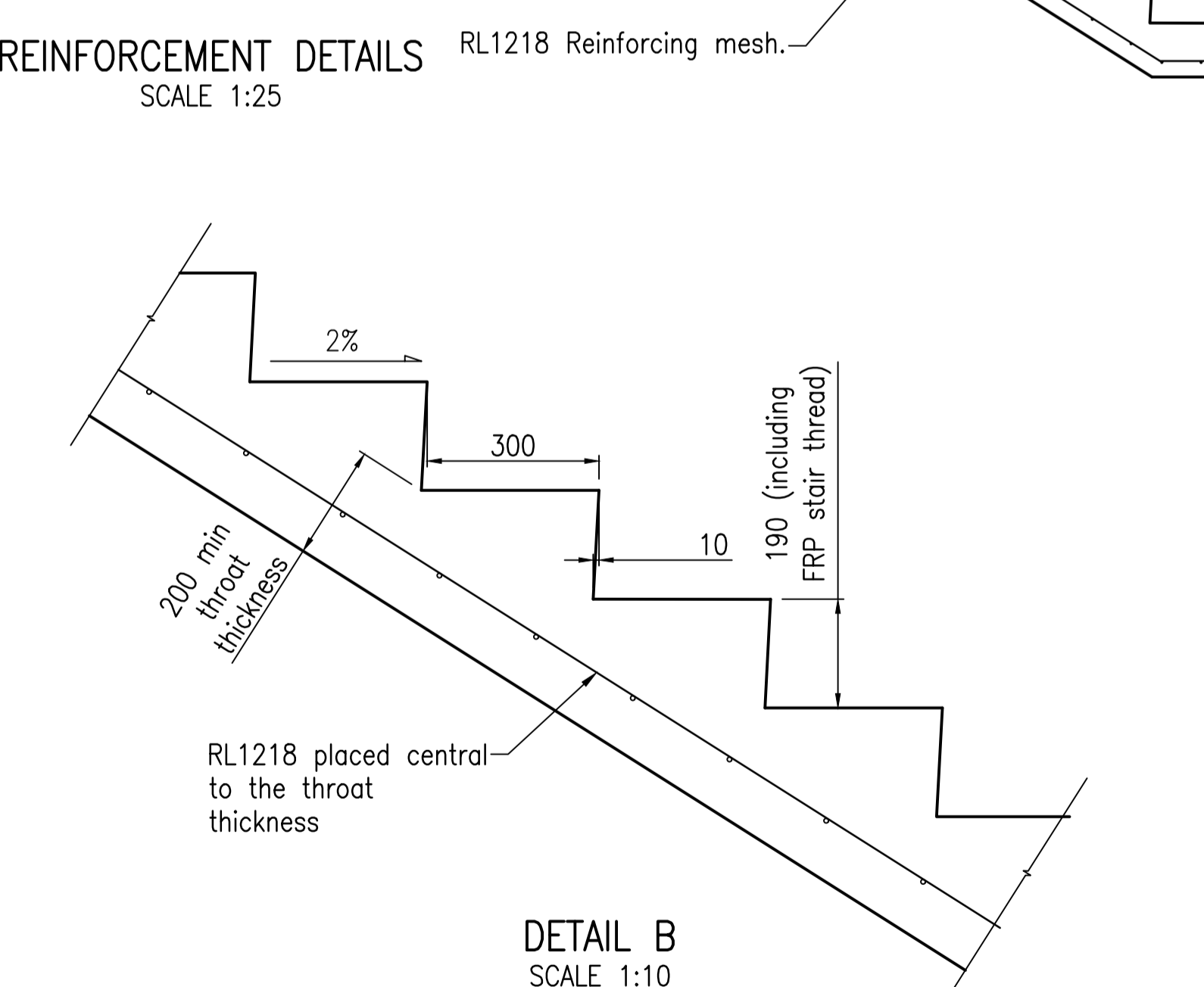
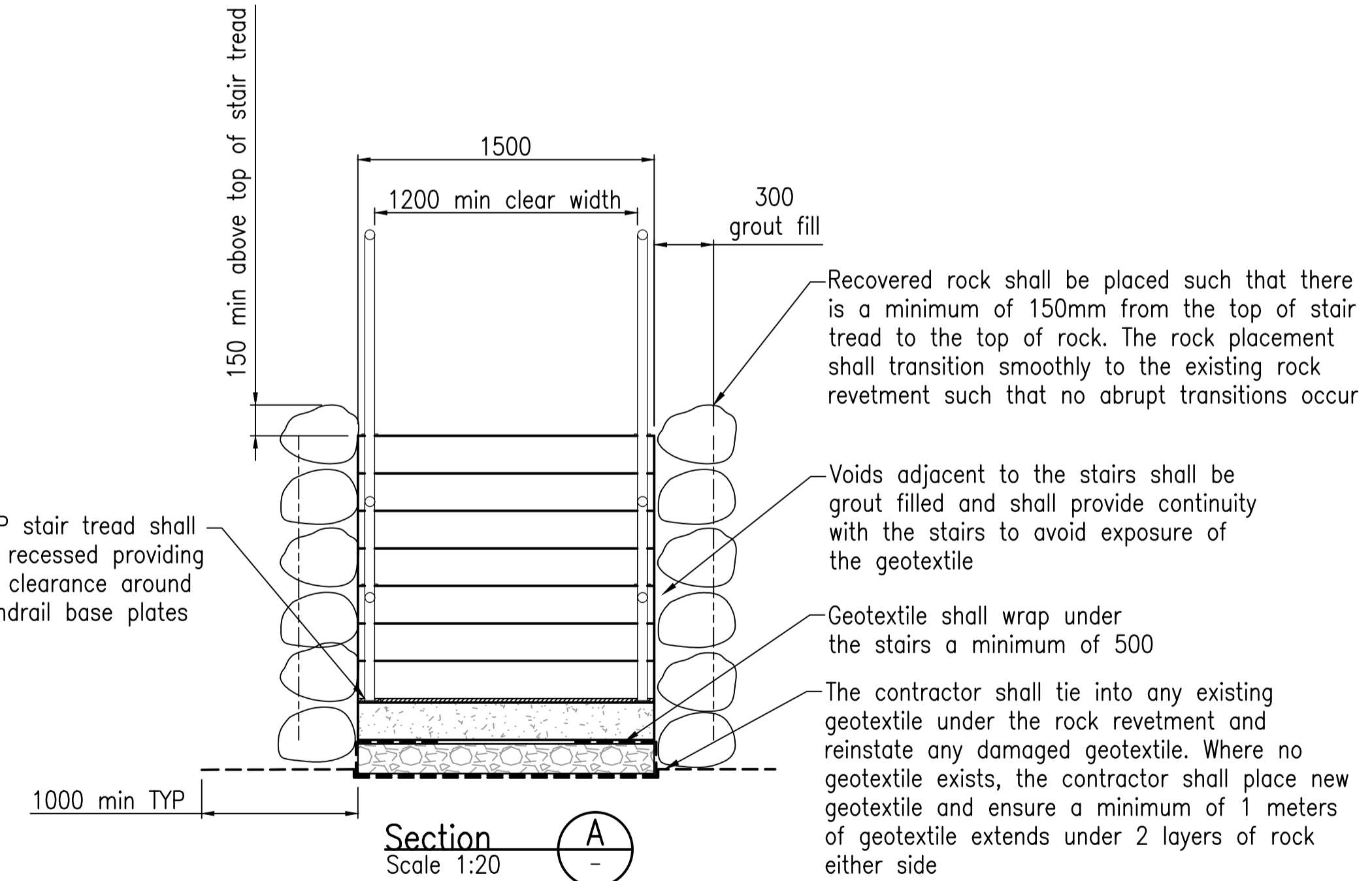
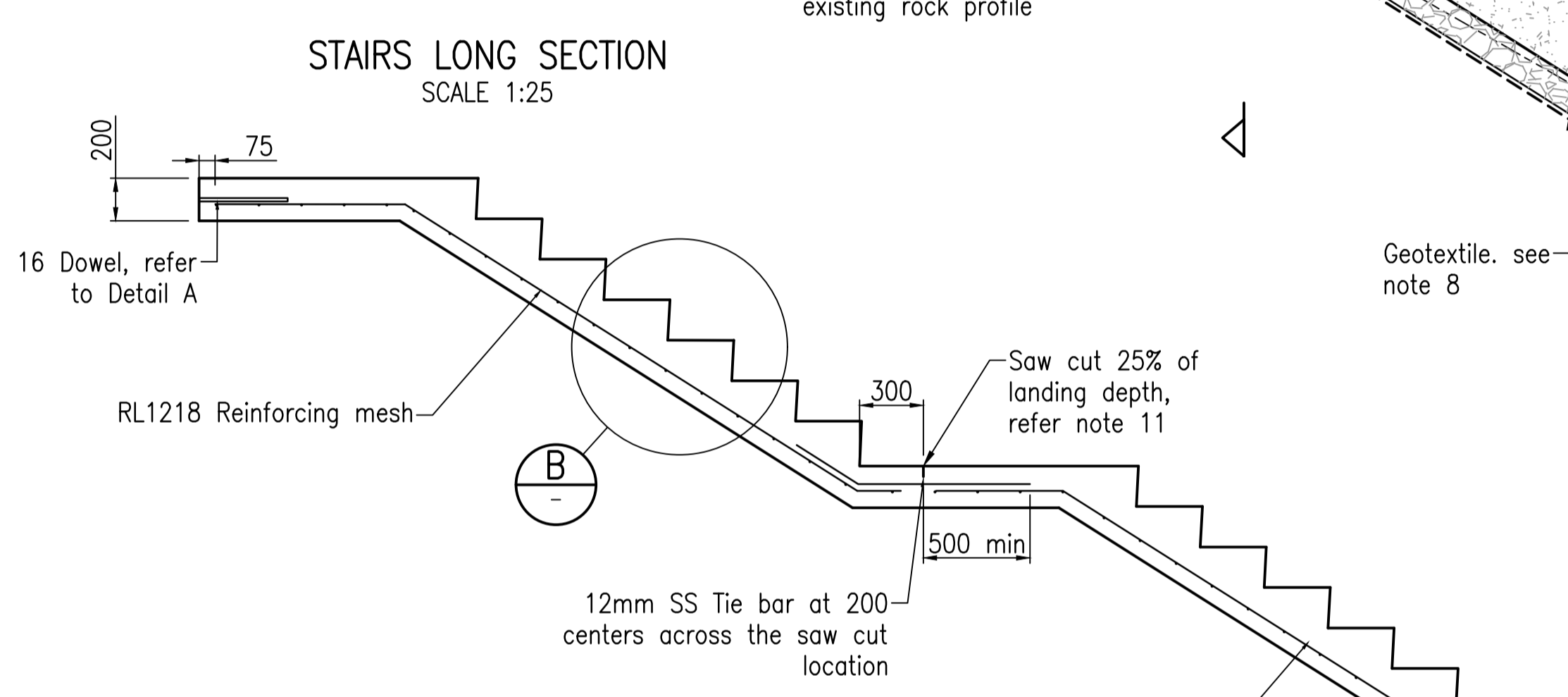
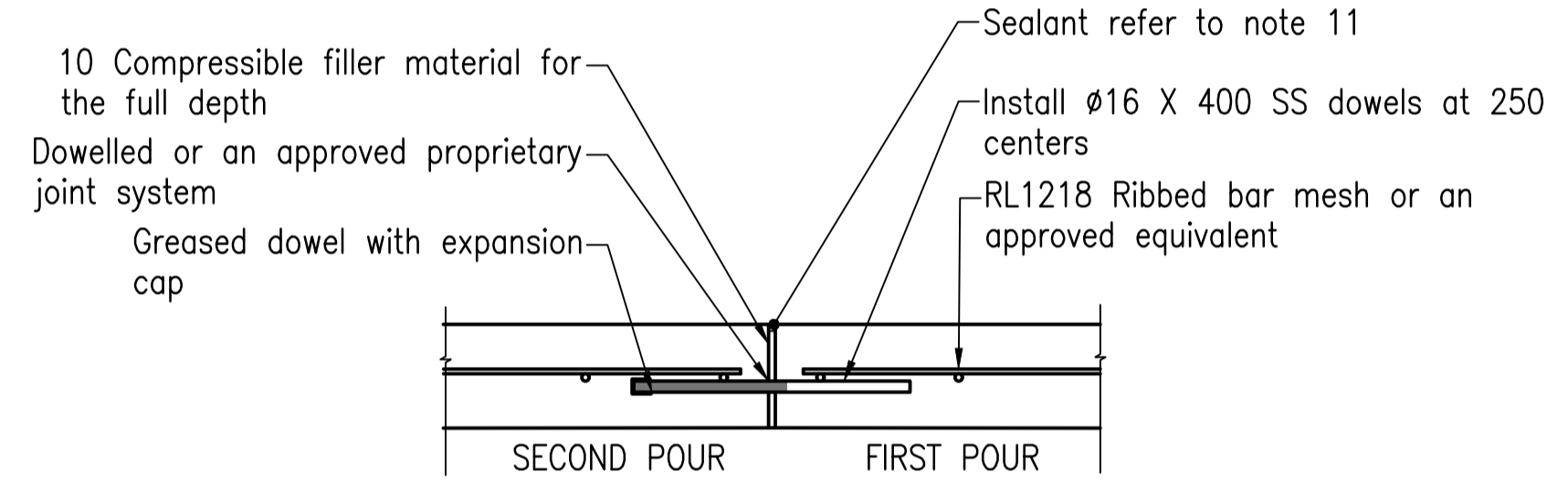
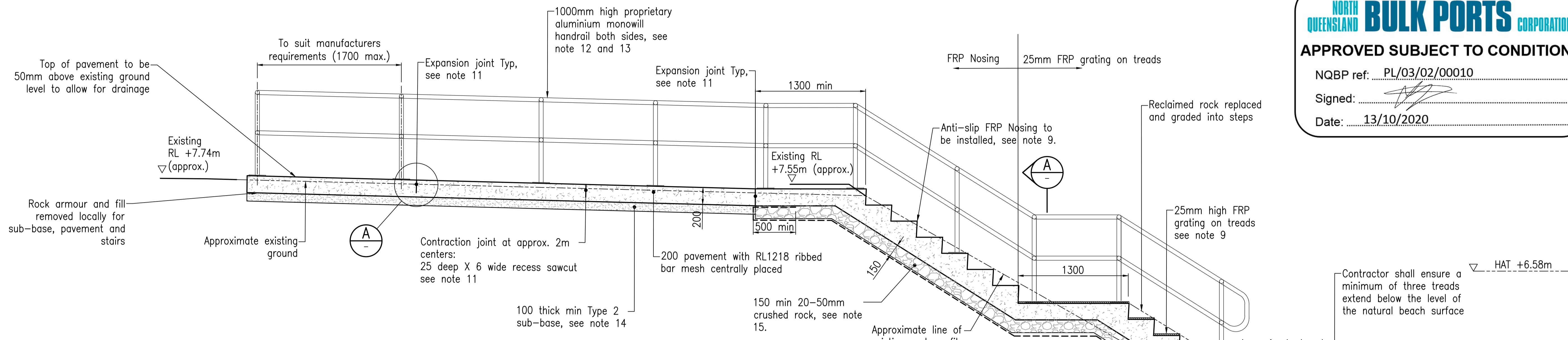
Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS PLAN

Scale at A1 1:100

Discipline	
Job No 264122-00	Drawing Status Construction
Drawing No 264122-90-DRG-910	Issue 3

NORTH QUEENSLAND BULK PORTS CORPORATION
APPROVED SUBJECT TO CONDITIONS
 NQBP ref: PL/03/02/00010
 Signed: _____
 Date: 13/10/2020



- Notes**
- For general notes refer to drawing 266122-90-DRG-910.
 - Concrete grade to be minimum 50 MPa.
 - Minimum clear concrete cover shall be 70mm for concrete stairs.
 - Minimum clear concrete cover shall be 60mm for concrete pavement.
 - All concrete shall be mechanically vibrated in the form to give maximum compaction without segregation of the concrete.
 - Formwork shall be designed, constructed and stripped in accordance with AS3610.
 - All exposed concrete surfaces including steps shall be provided with a medium brush finish to provide necessary slip resistance for pedestrians.
 - Geotextile shall be strength Class E and filtration Class II in accordance with MRTS27.
 - Anti-slip, gritted surface stair treads shall be FRP grating or an approved equivalent. Anti-slip FRP Nosing shall be provided on stairs without FRP grating indicated. Products shall be installed in accordance with the manufacturer's specification. Stairs to be free draining.
 - Install Tactile Ground Surface Indicators in accordance with AS1428.4.
 - Expansion joints and contraction joints to be sealed with a low modulus self priming sealant to manufacturers specifications. The colour of the sealant is to match the adjoining surface finish.
 - Handrail shall be standard webforge monowills tubular handrail system in aluminium or approved equivalent. Handrails shall be installed to manufacturers specification. Refer specification 264122-00-HTTH.
 - Handrail hold down bolts shall be cast in-situ or post-drilled and fixed using Chemset Reo502 or similar approved in accordance with the manufacturers specification. Refer specification 264122-00-HTTH.
 - Sub-base to be in accordance with MRTS05 type 2.
 - Minimum of 150mm to top of existing rock.

ISSUED FOR CONSTRUCTION

Approved by:
 Michael Moss
 RPEQ No. 15787

Issue	Description	Date	By	Chkd	Appd
3	Issued For Construction	29/10/19	TM	MK	MM
2	For Approval	25/10/19	AA	MM	MM
1	Preliminary Design	08/10/19	AA	MM	MM

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NORTH QUEENSLAND BULK PORTS CORPORATION

Job Title
MACKAY BREAKWATER REHABILITATION PROGRAM

HALF TIDE BOAT RAMP BEACH ACCESS STAIRS LONG SECTION & DETAILS

Scale at A1 1:100

Discipline	
Job No	264122-00
Drawing Status	Construction
Drawing No	264122-90-DRG-920
Issue	3