



Ref: WP19 003 EAT EA001  
Council ref: DA/94/2009

4 September 2024

The Chief Executive Officer  
Gladstone Regional Council  
PO Box 29  
GLADSTONE QLD 4680

Attention: Helen Robertson, Manager Development Services

To Whom It May Concern,

**EXTENSION APPLICATION – PRELIMINARY APPROVAL UNDER SECTION 3.1.6 OF THE INTEGRATED PLANNING ACT 1997 FOR A MATERIAL CHANGE OF USE TO VARY THE EFFECT OF THE MIRIAM VALE SHIRE PLANNING SCHEME**

On behalf of Eaton Place Pty Ltd ('the Applicant'), please accept this Notice as an Extension Application pursuant to section 86 of the *Planning Act 2016*.

The Extension Application is made in respect to extending the currency period of a Section 3.1.6 *Integrated Planning Act 1997* Preliminary Approval for a Material Change of Use to vary the effect of the Miriam Vale Shire Planning Scheme (DA/94/2009) on land at Hummock Hill Island.

The land the subject of the Preliminary Approval is more properly described as Lot 3 on FD841442.

**1.0 REQUIRED FEE**

Pursuant to Gladstone Regional Council's *2024-25 Fees and Charges Register*<sup>1</sup>, the applicable application fee payable on lodgement of the development application is identified in **Table 1**.

**Table 1 – Extension Application Fee**

Description	Fee 2024-25
Extension of Currency Period	\$1,087.00

The Applicant will pay the fee following receipt of an invoice from Gladstone Regional Council ('Council').

<sup>1</sup> Source: [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au) (Accessed 25 July 2024).

## 2.0 PRELIMINARY APPROVAL DETAILS

Details of the Preliminary Approval, the subject of this request, are detailed in **Table 1**.

**Table 1 – Preliminary Approval Details**

Local Government	Gladstone Regional Council
Prescribed Project	Hummock Hill Island Development
Applicant	Eaton Place Pty Ltd
Application	Development Application for a Preliminary Approval pursuant to section 3.1.6 of the IPA for Material Change of Use, to vary the effect of a local planning instrument (being the Miriam Vale Shire Planning Scheme) relevant to the Pacificus Tourism Project Plan of Development
Premises	Lot 3 on FD841442 Hummock Hill Island, Foreshores QLD 4678
Date of Application	16 December 2009
Local Government Application Reference	DA/94/2009
Prescribed Decision	The Coordinator-General decided under section 76O(1)(b)(ii) of the <i>State Development and Public Works Organisation Act 1971</i> (SDPWO Act) to approve, subject to conditions, the development application under section 3.5.11 of the IPA.
Date of Coordinator-General's decision	2 November 2018

A copy of the Preliminary Approval is provided at **Schedule 1**.

## 3.0 PROJECT STATUS

The Currency Period for the development would have otherwise lapsed on 2 November 2022; however, this was extended to 2 November 2024 by the effect of the COVID Extension Notices made by The Minister for State Development, Infrastructure, Local Government and Planning as confirmed by Council in its correspondence dated 27 September 2022 (refer **Schedule 2**).

## 4.0 OWNERS CONSENT

In respect to the provision of owner's consent, we note that Section 86(2A) of the *Planning Act 2016* states (emphasis added):

**'...the extension application must be accompanied by the written consent of the owner of the premises the subject of the development approval to the extent—**

**(a) the applicant is not the owner;** and

**(b) the development approval is for—**

**(i) a material change of use of premises or reconfiguring a lot; or**

**(ii) (works on premises that are below high-water mark and outside a canal); and**

**(c) the premises are not excluded premises.'**

We note that the applicant is not the owner; accordingly, owner's consent from the Queensland Government Department of Resources is enclosed at **Schedule 3**.

## 5.0 EXTENSION PERIOD

The purpose of this Extension Application is to seek an extension of the Currency Period to 2 November 2032 (i.e. a further 8 years).

Relevantly, the currency period pertains to the period in which the first change of use 'happens'<sup>2</sup> i.e. commencement of the first material change of use.

### Need for extension

The need for the extension is twofold:

1. Eaton Place Pty Ltd had held Special Lease 19/52155 and expected that this lease would remain current over the course of the development. However, in 2019, the then Department of Natural Resources Mines and Energy (DNRME) determined that the proposed development was a 'significant development' under the *Land Act 1994* and that the most appropriate tenure was a lease for 'Significant Development'. As a result of DNRME being unwilling to renew Special Lease 19/52155 held by the Applicant, it expired on 14 November 2019.

Upon advice from DNRME, the Applicant secured a Permit to Occupy as an interim measure until obtaining a lease for Significant Development. This tenuous transitional tenure understandably lacks the security upon which to commit the significant further funding required to meaningfully advance the project.

Under Section 192 of the *Land Act 1994*, Eaton Place Pty Ltd was required to undergo and pass a Financial and Managerial Capability Assessment (FMCA) to qualify for a Letter of Offer for a Significant Development Lease. This extensive and lengthy assessment, carried out by Price Waterhouse Cooper, thoroughly scrutinized the Applicant's financial and managerial capabilities to deliver the project. On 30 June 2023, Eaton Place Pty Ltd passed the FMCA and will soon obtain the security of tenure upon which to make the substantial financial investment required to execute the project.

2. The currency period for an approval, by default, is four (4) years pursuant to section 3.5.21(1) *Integrated Planning Act 1997*. A four (4) year currency period, despite a two (2) year extension pursuant to application of COVID extensions as confirmed by Council (refer **Schedule 2**), is insufficient due to delays associated with lease arrangements, and in so much as the commencement of the first material change of use has a long lead-time in so much as it relies on, first:
  - a. pre-construction activities including the completion of significant further studies, including the water quality monitoring over a number of years before construction can commence; and
  - b. the construction of significant infrastructure including a:
    - i. upgrade to the Bruce Highway intersection with Turkey Beach Road, Turkey Beach Road and Foreshore Road and Foreshores Road and Clarks Road.
    - ii. bridge crossing over Boyne Channel (in three (3) spans in lengths of 40 metres, 70 metres and 40 metres, respectively)
    - iii. Trans-island boulevard, being the main sub-arterial or trunk road connecting the bridge to the town centre;

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<sup>2</sup> Refer section 85 of the *Planning Act 2016* and section 3.5.21(1) of *Integrated Planning Act 1997*.

- iv. water treatment plant; and
- v. sewage treatment plant.

#### Establishing the requested extension period

For the purposes of the proposed development, the first material change of use is anticipated to involve commencement of Environmentally Relevant Activity (ERA) 63 – Sewage Treatment and ERA 64 – Water Treatment, which necessarily can't be considered to have commenced until this infrastructure is operational and servicing other development. On this basis, and based on current programming, the earliest a tourism related land use may commence<sup>3</sup> is in June 2032. This is based on:

1. A Significant Development Lease (SDL) offer being formalised at or before 31 December 2024, noting that the Applicant has been advised by the Department of Resources that a letter of offer for a SDL is being prepared;
2. A Significant Development Lease being given at or before 31 December 2026;
3. Water and Sewage treatment plant completion by December 2029;
4. Bridge construction completion by September 2030; and
5. Construction associated with all trunk transport infrastructure (including State-controlled road infrastructure and trans-island road) and other trunk water, sewer and stormwater infrastructure being completed by July 2031.

The above timeline, in the context of the requested extension period (8 years), provides for a period of 15 months to construct and commence a tourism-related land use.

## **6.0 ASSESSMENT OF THE EXTENSION APPLICATION**

Section 87(1) of the *Planning Act 2016* states that:

*'When assessing an extension application, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.'*

Therefore, in respect to the Extension Application, we note the following matters as relevant to Council's assessment:

1. The need for the extension (as established in this Extension Application).
2. The Hummock Hill Island Development is a Prescribed Project<sup>4</sup>. A prescribed project is a project which is of significance, particularly economically and socially, to Queensland or a region.
3. The Gladstone Regional Council Planning Scheme version 2 (commenced 3 July 2017) was given due weight in the decision to approve the proposed development on 2 November 2018 and remains the current planning scheme in force at the date of this Extension Application i.e. the local planning framework remains unchanged.
4. The Applicant has the financial and managerial capability to undertake the development as demonstrated by passing the Queensland State Government Financial Managerial Capability Assessment (FMCA) approval process.
5. The Applicant has acted on the development, despite the absence of secure

<sup>3</sup> At which point ERA 63 – Sewage Treatment, ERA 64 – Water Treatment and a tourism-related material change of use (such as a Hotel) will have commenced in parallel, being the first material change of use to 'happen' (simultaneously).

<sup>4</sup> The Prescribed Project declaration ends 30 June 2025. Source: <https://www.statedevelopment.qld.gov.au/coordinator-general/project-facilitation/prescribed-projects/list-of-projects>

tenure, as follows:

- A. An updated Plan of Development was provided to Council on 25 September 2019 in response to Condition 3.1, 8.1/8.3, 32.1 and 42.1 of the Decision Notice.
  - B. On 10 March 2020, the then Australian Government Department of Agriculture, Water and the Environment (DAWE) issued a 'Variation of Conditions Attached to Approval' in acknowledgment of a range of matters, including that 'Early Works' associated with investigation, monitoring and design actions are necessary prior to 'commencement of the action'.
  - C. A Water Quality Monitoring Plan (WQMP) was prepared and provided to Council in accordance with Condition 21.2 of the Decision Notice on 2 November 2020.
  - D. Early Works commenced in accordance with Condition 4.3 of the Decision Notice, as confirmed by Council in writing on Friday 22 January 2021.
  - E. A Detailed Staging Plan was prepared and accepted by Council in accordance with Condition 4.3 of the Decision Notice, as confirmed by Council in writing on Friday 22 January 2021.
  - F. The WQMP referred to at 3.C. (above) was approved by the then Queensland Department of Environment and Science (DES) on Friday 21 May 2021.
  - G. Water Quality monitoring has commenced in respect to the project.
  - H. A Heads of Agreement in respect to trunk infrastructure was progressed in association with Council<sup>5</sup>.
  - I. A Traffic Management Plan is currently under preparation in accordance with Condition 23 of the Decision Notice<sup>7</sup>.
- 6. This Extension Application is the first extension sought by the Applicant.
  - 7. A formal lease offer from the Queensland State Government is anticipated to be given at or before 31 December 2024. This is a significant milestone and will provide Eaton Place Pty Ltd with the necessary security of tenure in which to now progress the development in a timely manner.

The proposed development is considered to advance the purpose of the *Planning Act 2016*. Accordingly, we respectfully recommend approval of the subject Extension Application.

Please don't hesitate to contact me directly on 0487 967 533 should you wish to discuss this application.

Yours sincerely,



**DOMINIC HAMMERSLEY**  
**DIRECTOR | PRINCIPAL PLANNER**  
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<sup>5</sup> Actions on hold pending resolution of a Significant Development Lease / Significant Development Lease offer.

## SCHEDULE 1 – PRELIMINARY APPROVAL





## Decision notice

*Integrated Planning Act 1997, section 3.5.15*

### 1. Application details:

Gladstone Regional Council Reference #	DA/94/2009
Land subject of the application	Lot 3 on FD841442 Hummock Highway, Foreshores
Proponent	Eaton Place Pty Ltd  c/- Mr Peter Scarf Level 2, 287-289 New South Head Road Edgecliff NSW 2027
Application type	Development application for a Preliminary approval under section 3.1.6 of the <i>Integrated Planning Act 1997</i> for a material change of use to vary the effect of the Miriam Vale Shire Planning Scheme
Description of development	Master planned tourism development with short and long-term residential, commercial and community activities.
Application date	17 December 2009

### 2. Decision details

Decision	In accordance with section 3.5.14A of the <i>Integrated Planning Act 1997</i> , the Coordinator-General has decided to <b>approve with conditions</b> all of the above application for a Preliminary approval under section 3.1.6 of the <i>Integrated Planning Act 1997</i> for a material change of use to vary the effect of the Miriam Vale Shire Planning Scheme for the Pacificus Tourism Project Plan of Development.
Decision date	2 November 2018

### 3. Conditions

The conditions applying to this approval are included in Attachment 1. The conditions are considered to be:

- (a) relevant to, but not an unreasonable imposition on, the proposed use of the site; or
- (b) reasonably required by the proposed use of the site.

#### **4. Submissions**

In accordance with section 37 of the *State Development and Public Works Organisation Act 1971*, there are 55 submitters. The names and addresses of submitters are included in Attachment 2.

#### **5. Referral agencies**

In accordance with section 37 of the *State Development and Public Works Organisation Act 1971*, there are no referral agencies for the development application.

#### **6. Approval despite conflict with the planning scheme**

Despite there being what is considered a conflict with the Miriam Vale Shire Planning Scheme 2009, in particular the Rural Locality and Parkland and Open Space Zone and related provisions, it is considered there are sufficient grounds to approve the development application. The sufficient grounds to approve the development despite any conflict with the Miriam Vale Shire Planning Scheme 2009 is to further state interests of Development and Construction and Tourism, as stated in the State Planning Policy July 2017.

#### **7. Variations to the planning scheme**

The preliminary approval varies the effect of the Miriam Vale Shire Planning Scheme 2009 in the following ways:

- (a) the conditions of the preliminary approval prevail over any applicable planning scheme code for the development to the extent of any inconsistency.
- (b) by way of applying the assessment levels, assessment criteria and related provisions shown in the approved Pacificus Tourism Project Plan of Development over the site and replacing the existing Rural Locality, Parkland and Open Space Zone, and related provisions.
- (c) by way of removing all planning scheme overlays applicable to the subject land.

#### **8. Other development permits and approvals required**

The other development permits necessary to allow the development to be carried out include:

- material change of use
- reconfiguration of a lot
- operational works
- building works
- plumbing and drainage works.



## 9. Rights of appeal

In accordance with section 76P of the *State Development and Public Works Organisation Act 1971*, this decision may not be appealed.

A handwritten signature in black ink, appearing to read 'Barry Broe'. The signature is fluid and cursive, with the first name 'Barry' and the last name 'Broe' clearly distinguishable.

Barry Broe  
**Coordinator-General**

# Approval – conditions

## Part A – Assessment Manager conditions

Condition 1 – Sunset clause		Timing
1.1	In accordance with s3.5.21A of the IPA, development to which the approval relates must be completed within seventeen (17) years starting on the day this Preliminary Approval takes effect.	As indicated

Condition 2 – Approved plans and documents		Timing
2.1	The development is to be generally in accordance with: (a) the master plan (MP-001-E CONCEPT MASTER PLAN) (b) the precinct plan dated May 2016)	At all times
2.2	Unless otherwise stated in these conditions, the development is to be generally in accordance with the Plan of Development and the relevant local government Planning Scheme.	At all times
2.3	Carry out the approved development generally in accordance with the approved plans and documents as referenced in Table 1, except insofar as modified by any of the conditions of this approval.	At all times

**Table 1 – approved plans and documents**

Title	Prepared By	Document No	Date
Pacificus Tourism Project Plan of Development (Plan of Development 2017)	Eaton Place Pty Ltd		August 2017
Pacificus Tourism Project Precinct Plan: May 2016	ML Design		24 May 2016
Pacificus Tourism Project Concept Master Plan	ML Design	MP-001-E	2 May 2013

Condition 3 – Plan of development		Timing
3.1	Prepare and submit to Gladstone Regional Council (GRC) for approval an updated Plan of Development, generally consistent with the conditions of this Preliminary Approval.	Prior to site works and prior to the lodgement of an application under the Plan of Development 2017
3.2	The approved updated Plan of Development will replace the Plan of Development 2017 as the approved plan in Table 1 and any reference to the Plan of Development in these conditions of approval will be a reference to the updated Plan of Development unless indicated otherwise.	At all times

Condition 4 – Project staging		Timing
4.1	Prepare a detailed staging plan for the project, which outlines the project works and development to be undertaken in each stage and identifies Stage 1 as only including the following infrastructure required for the project:  (a) upgrading the Bruce Highway and Turkey Beach Road intersection;	Prior to site works and prior to the lodgement of an application under the Plan of Development

	<ul style="list-style-type: none"> <li>(b) upgrading the access road from Foreshores Road to Boyne Creek;</li> <li>(c) construction of the Boyne Creek bridge;</li> <li>(d) any upgrades or mitigation strategies identified for the road network in the approved Road Impact Assessment or Traffic Management Plan;</li> <li>(e) construction of the water desalination plant, seawater intake and evaporation ponds;</li> <li>(f) construction of the wastewater treatment plant and recycled water treatment plant; and</li> <li>(g) installation and connection of power supply from the existing electricity network for the development; and</li> <li>(h) construction of trans-island road and services infrastructure to the headland on Hummock Hill island.</li> </ul> <p><i>Note: the respective times for completion of each stage must be identified in the detailed staging plan.</i></p>	
4.2	The detailed staging plan prepared under condition 4.1 must provide for the commencement of early works within 2 years from the date this approval takes effect.	As indicated
4.3	Submit the detailed staging plan prepared under condition 4.1 for approval by GRC.	Prior to site works and prior to the lodgement of an application under the Plan of Development
4.4	Undertake all development generally in accordance with the Staging Plan approved in accordance with condition 4.3.	At all times
4.5	<p>For all stages of development, the number of dwellings for permanent residential use (i.e. other than short-term accommodation) must not exceed 30 per cent of the total number of constructed dwelling units within the project and must not exceed 770 dwellings in total.</p> <p><i>Note: "all stages" means the total of all stages</i></p>	As indicated
4.6	<p>For all stages of development, at least 15 per cent of dwellings for permanent residential use must be affordable housing.</p> <p><i>Note: affordable housing must provide low cost housing options to accommodate people who work and live on Hummock Hill Island, including hospitality workers, and may include short-term accommodation stock.</i></p>	As indicated
4.7	<p>The total area used for urban purposes must not exceed 465 hectares.</p> <p><i>Note: urban purpose means land used for residential, industrial, sporting, recreation and commercial activities including but not limited to, dwelling house, hotel, indoor sport and recreation, multiple dwelling, office, outdoor sport and recreation, resort complex, shop, short-term accommodation, utility installation.</i></p>	At all times
4.8	<p>Sequencing of the development must:</p> <ul style="list-style-type: none"> <li>(a) provide for community facilities to be made available in conjunction with the first residential (tourism/permanent) stages</li> </ul>	As indicated

	<p>(b) limit the number of permanent residential dwellings constructed in all stages to not exceed the numbers set out in Table 1 of the Plan of Development 2017</p> <p>(c) ensure the recreational camping ground is constructed in the first residential stage.</p> <p><i>Note: community facilities are to be progressively provided in accordance with the detailed staging plan prepared under condition 4.1. The timing of the provision of the recreational camping ground is to be confirmed as part of the staging plan prepared under condition 4.1.</i></p>	
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<b>Condition 5 – Temporarily vacant land</b>		<b>Timing</b>
5.1	<p>Where construction has commenced on a stage and some or all of the land remains vacant or undeveloped for more than three months, the following works must be carried out:</p> <p>(a) the site must be cleared of all rubble, debris and demolition materials;</p> <p>(b) the site must be graded to prevent water ponding with adequate ground cover in place to avoid sediment and erosion issues;</p> <p>(c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing native tree species;</p> <p>(d) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths;</p> <p>(e) the site must be secured to ensure it does not present a public safety issue; and</p> <p>(f) where fencing is necessary to secure boundaries:</p> <p>(i) the fencing must be durable and not capable of being pushed or blown over</p> <p>(ii) the fencing type must not detract from local amenity (barbed wire is not acceptable)</p> <p>(iii) vandalism must be promptly repaired and any graffiti removed.</p>	As indicated

<b>Condition 6 – Disaster and emergency management</b>		<b>Timing</b>
6.1	<p>An Emergency Response Plan (ERP) must be prepared by a suitably qualified expert to ensure the safety and well-being of all visitors, residents and staff on the island. The ERP must be prepared in consultation with the Queensland Police Service, Queensland Fire and Emergency Services and Queensland Ambulance Service. The ERP must provide details on the following:</p> <p>(a) potential natural and man-made hazards and emergency events based on a risk assessment;</p> <p>(b) strategies for the protection of life and property;</p> <p>(c) anticipated numbers of people on the island (including during construction and operational phases);</p>	As indicated

	<ul style="list-style-type: none"> <li>(d) response procedures to incidents/events, including: injuries, medical evacuations, road accidents, spills and natural disasters;</li> <li>(e) evacuation routes, procedures and assembly areas;</li> <li>(f) demonstration of long-term resilience in distressed conditions in the event an evacuation cannot be achieved, including details of access to food, water and medical supplies; and</li> <li>(g) demonstration that resources required for the implementation of the ERP would be provided independent of resources allocated to other towns and communities in the Gladstone Region.</li> </ul> <p>The ERP must be prepared prior to the commencement of site works and reviewed at a minimum:</p> <ul style="list-style-type: none"> <li>(a) at the completion of stage 1;</li> <li>(b) at the completion of each stage of development.</li> </ul>	
6.2	Implement and undertake any works and recommendations as required in the ERP	As indicated

<b>Condition 7 – Littoral vineforest</b>		<b>Timing</b>
7.1	Undertake a site survey of areas of the development site identified as containing littoral vineforest (RE 12.2.2) to inform detailed mapping. The site survey and detailed mapping is to be undertaken by a suitably qualified person and in accordance with a methodology approved by DNRME.	Prior to the commencement of site works
7.2	Development must be excluded from the littoral vineforest communities to the west of the headland and beachfront habitat to the east of the headland (as represented by RE 12.2.2 determined by detailed mapping) to protect the environmental value of these areas.	At all times.

<b>Condition 8 – Fauna protection</b>		<b>Timing</b>
8.1	<p>The project must include design elements that will avoid or mitigate impacts upon fauna communities by incorporating the following:</p> <ul style="list-style-type: none"> <li>(a) vegetated corridors which permit flora and fauna dispersal across Hummock Hill Island, particularly the maintenance of riparian corridors adjacent to ephemeral creeks. Wildlife corridor types that are to be considered for the development, to be agreed with GRC and DNRME and include: <ul style="list-style-type: none"> <li>(i) major linkage – several hundred metres in width and containing no buildings or major structures</li> <li>(ii) inter-urban linkage – corridors of 100–200 m in width through a predominantly urban matrix, but containing large areas of green space such as the golf course</li> <li>(iii) local linkage – corridors of less than 100 m in width through urban and nonurban matrices</li> </ul> </li> <li>(b) roads designed to include the preferred fauna-sensitive design standards included in the Fauna Sensitive Road Design Manual – Volume 2: Preferred Practices (TMR June 2010)</li> <li>(c) formal fauna crossing points at potential road-strike points, particularly within the proposed corridors described above</li> </ul>	At all times

	<ul style="list-style-type: none"> <li>(d) fauna crossings at ephemeral watercourse crossings</li> <li>(e) tree retention across the development area to increase landscape permeability for flora and fauna particularly in and around the proposed golf course</li> <li>(f) a 500 m section of road connecting the northern and southern parts of the development to include an east-west fauna movement corridor incorporating: <ul style="list-style-type: none"> <li>(i) retention of a 50 to 60 m (width) naturally vegetated area between the single lane carriage ways</li> <li>(ii) traffic calming devices at agreed points along the road</li> <li>(iii) wildlife signage to warn drivers</li> <li>(iv) culverts under the roadway to accommodate movement of small fauna.</li> </ul> </li> <li>(g) 30 m buffers to waterways</li> <li>(h) construction and maintenance of fire breaks within the special lease area.</li> </ul>	
8.2	DNRME and GRC must be consulted in relation to all aspects of this condition.	Prior to site works and prior to the commencement of site works
8.3	Incorporate the requirements of Condition 8.1 into the Plan of Development as required under Condition 3 and the Project Master Plan.	Prior to site works and prior to an application being lodged under the Plan of Development

<b>Condition 9 – Erosion-prone area</b>		<b>Timing</b>
9.1	<p>No development, other than construction of the bridge, public boat ramp, service infrastructure, pedestrian access to the beaches and lifesaving structures, is to occur within the erosion-prone area as determined by DES in accordance with the site-specific erosion study provided in the Change Report Application for the project dated 21 July 2016.</p> <p><i>Note: The erosion-prone area is indicated on the Erosion Prone Areas Analysis map included in 'Pacificus Development Hummock Hill Island Assessment of Erosion Prone Area Width June 2016', prepared by Water Technology Pty Ltd.</i></p>	At all times

<b>Condition 10 – Tourist and leisure facilities</b>		<b>Timing</b>
10.1	<p>The proponent must develop and fund the tourist and leisure facilities according to the EIS/SEIS documentation and the Plan of Development and any requirements of these conditions of development.</p> <p><i>Note: the timing of tourist and leisure facilities is to be outlined in the detailed staging plan.</i></p>	As indicated in the approved Staging Plan

<b>Condition 11 – Community facilities</b>		<b>Timing</b>
11.1	<p>Unless otherwise agreed with GRC, the proponent must ensure the delivery of the community facilities for the project, including:</p> <ul style="list-style-type: none"> <li>(a) community centre</li> <li>(b) medical centre</li> <li>(c) education and research centre</li> </ul>	As indicated in the approved Staging Plan



	<ul style="list-style-type: none"> <li>(d) boat ramp</li> <li>(e) kindergarten</li> <li>(f) public bus service</li> <li>(g) cycle paths</li> <li>(h) post office</li> <li>(i) surf lifesaving club</li> <li>(j) recreational facilities</li> <li>(k) SES facilities and activities.</li> </ul>	
11.2	The program for developing community facilities is to be based on the rate of developing the residential units within the development, as measured by the approval by GRC of reconfiguring of the land into development lots. An application to reconfigure a lot must not be lodged with GRC for its approval until the proponent has completed the community facilities in accordance with the approved development program.	As indicated in the approved Staging Plan

<b>Condition 12 – Infrastructure provision</b>		<b>Timing</b>
12.1	All infrastructure must be provided at the cost of the proponent.	At all times
12.2	<p>Unless otherwise agreed with GRC, the proponent must develop the following physical infrastructure required for providing essential services to the project including:</p> <ul style="list-style-type: none"> <li>(a) water supply system</li> <li>(b) sewerage</li> <li>(c) power</li> <li>(d) telecommunications</li> <li>(e) stormwater drainage systems</li> <li>(f) recycled water treatment and supply</li> <li>(g) wastewater collection, treatment and disposal</li> <li>(h) solid waste collection and disposal</li> <li>(i) access road from Foreshores Road to Hummock Hill Island</li> <li>(j) bridge over Boyne Creek</li> <li>(k) boat ramp</li> <li>(l) internal roads, cycle ways and pedestrian paths</li> <li>(m) public parks and open space (including environmental buffers).</li> </ul>	As indicated in the approved Staging Plan

<b>Condition 13 – Infrastructure operation and maintenance agreement</b>		<b>Timing</b>
13.1	Unless otherwise agreed with GRC, the proponent must maintain and operate the infrastructure or subsidise the costs of operating and maintaining infrastructure for a period of 17 years from commencement construction of stage 1 of the development or until such time as the income from GRC's rates and services charges applied to the developed land allows GRC to take over responsibility of management and funding of these areas.	As indicated
13.2	<p>The proponent must submit to GRC the operation and maintenance agreement for approval prior to lodging an application for a development permit for either a material change of use or reconfiguration of a lot within the project. The operation and maintenance agreement(s) for all infrastructure associated with the development must:</p> <ul style="list-style-type: none"> <li>(a) cover all infrastructure which is intended to be handed over to GRC;</li> <li>(b) identify the specifications, operational and maintenance requirements, expected lifespan and decommissioning requirements of the infrastructure;</li> </ul>	As indicated

	<p>(c) outline the costs associated with all aspects of the operation and maintenance of the infrastructure; and</p> <p>(d) be prepared in consultation with GRC.</p>	
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<b>Condition 14 – Electricity and telecommunications</b>		<b>Timing</b>
14.1	The project is to be connected to electricity and telecommunications to the requirements of the relevant authorities. The proponent is to fund all works (that is, provide the works at no cost to the relevant infrastructure provider) including any alterations, relocations, or upgrade work necessary to electricity and telephone installations resulting from or in connection with the project.	As indicated

<b>Condition 15 – Infrastructure contributions</b>		<b>Timing</b>
15.1	Should any aspect of the development trigger appraisal under existing GRC infrastructure policies, the proponent must contribute towards GRC infrastructure prior to commencement of the use on site. The contributions are to be paid in accordance with the rates applicable at the date of payment.	As indicated

<b>Condition 16 – Water supply infrastructure</b>		<b>Timing</b>
16.1	All water supply reticulation must be designed, constructed and maintained in accordance with GRC codes, policies, standards and specifications, applicable at the time and where relevant to GRC requirements.	As indicated
16.2	The water supply infrastructure provided must be capable of servicing the project at full occupancy and use, including sufficient supply for emergency response use without the need for future augmentation by the GRC.	At all times
16.3	The proponent is responsible for the full cost of all necessary water supply infrastructure on the island.	At all times

<b>Condition 17 – Water desalination plant</b>		<b>Timing</b>
17.1	The proponent must seek approval from GRC before commencing construction of the desalination plant. The desalination plant and associated infrastructure must be funded by the proponent.	As indicated
17.2	<p>The proponent must ensure:</p> <p>(a) monitoring of salinity levels in the evaporation ponds is undertaken during the wet season and extreme weather conditions</p> <p>(b) discharge of potential overflow from the evaporation ponds is appropriately managed to ensure salinity levels are comparable to that of the receiving environment and that discharge occurs on an outgoing tide</p> <p>(c) evaporation ponds are lined with either clay or a geotextile (with permeability less than 0.01 mm/day) to prevent leaching of saline concentrate to groundwater or leakage to surface waters.</p>	As indicated

<b>Condition 18 – Water supply and storage</b>		<b>Timing</b>
18.1	The proponent must specify the proposed recycled water/wastewater treatment technologies proposed for the infrastructure required in Condition 12 in a recycled water management plan.	Prior to the commencement of site works

18.2	The proponent must prepare a recycled water management plan in accordance with the <i>Water Supply (Safety and Reliability) Act 2008</i> and submit to DNRME and GRC for approval prior to making an application for a development permit for material change of use within the project.	As indicated
18.3	All permanent water storages must be constructed in accordance with the latest versions of Queensland Water Recycling Guidelines and the Australian Mosquito Control Manual (Mosquito Control Association of Australia). Water storages must be constructed in accordance with the latest version of the WSUD Technical Design Guidelines.	As indicated

<b>Condition 19 – Sewerage treatment</b>		<b>Timing</b>
19.1	All sewerage reticulation for the project must be designed, constructed and maintained in accordance with GRC codes, policies, standards and specifications, applicable at the time and where relevant to GRC requirements.	As indicated
19.2	All sewage generated by the project must be directed to and treated at a central sewage treatment plant within the development area.	At all times
19.3	No septic tanks are to be installed for the project.	At all times

<b>Condition 20 – Erosion and sediment control plan</b>		<b>Timing</b>
20.1	<p>An erosion and sediment control plan (ESCP) must be prepared by the proponent prior to commencing construction and submitted to GRC for approval as part of each application for operational works. The plan must be developed by a suitably qualified engineer in accordance with the latest version of Queensland Urban Drainage Manual, WSUD Technical Design Guidelines and the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites. The ESCP must be designed around the following objectives:</p> <ul style="list-style-type: none"> <li>(a) minimising vegetation and soil disturbance within ephemeral watercourses during construction</li> <li>(b) drainage control from cleared areas</li> <li>(c) erosion control of exposed surfaces</li> <li>(d) sediment control</li> <li>(e) re-vegetation of cleared areas to re-establish ground cover</li> <li>(f) minimising vegetation and soil disturbance within erosion prone areas.</li> </ul> <p><i>Note: an overall ESCP, detailing general erosion and sediment control principles, is to be provided prior to the commencement of site works, with more detailed plans, addressing individual developments or site conditions, provided as part of the relevant development applications.</i></p>	As indicated
20.2	Undertake all works generally in accordance with the approved erosion and sediment control plan which must be current and available on site at all times during the construction period.	At all times

<b>Condition 21 – Water quality monitoring program</b>		<b>Timing</b>
21.1	The proponent must develop and implement a water quality monitoring program (WQMP) which is to be designed in accordance with relevant guidelines including the latest version of the Queensland Water Quality Guidelines, the latest Urban Stormwater Queensland Best Practice Environmental Management Guidelines, the ANZECC/ARMCANZ (2000)	Prior to the commencement of site works

	Guidelines and the Water Quality Guidelines for the Great Barrier Reef Marine Park (GBRMPA 2009).	
21.2	The WQMP must be submitted to DES and GRC for review and approval prior to a decision for any development application for material change of use or reconfiguring a lot for the project.	As indicated
21.3	As part of the WQMP, the proponent must undertake water quality baseline monitoring of turbidity, sediment pollutant concentrations and other parameters, within Colosseum Inlet, Boyne Creek and Rodd's Bay adjacent to Hummock Hill Island before commencing construction.  <i>Note: baseline monitoring should represent normal environmental conditions and not represent conditions of high or low water quality caused by extreme weather conditions.</i>	Prior to the commencement of site works
21.4	The findings of the WQMP must be used to determine water quality parameters for discharges from the development into the surrounding receiving water bodies.	Prior to the commencement of site works
21.5	Undertake ongoing monitoring of discharge water quality from the development site and turbidity, sediment pollutant concentrations and other parameters within Colosseum Inlet, Boyne Creek and Rodd's Bay adjacent to Hummock Hill Island. Prepare a report outlining the results of monitoring activities and identifying any changes required to the WQMP to meet the water quality standards in effect at the time the report is prepared. A report must be prepared and available for inspection by GRC and DES: (a) At the end of each 12 month period during construction of the development identified in the approved Staging Plan; and (b) At the end of 12 months following the commencement of use of the final stage, as determined by the approved Staging Plan under Condition 4.	As indicated

<b>Condition 22 – Stormwater management</b>		<b>Timing</b>
22.1	The proponent must prepare a detailed design of stormwater systems including an assessment of the stormwater runoff volume and any changes in quantity or quality of this runoff as a result of the development. The design is to be in accordance with the latest version of the Urban Stormwater Queensland Best Practice Environmental Management Guidelines. Stormwater controls must be designed to: (a) protect water environmental values specified in the Environmental Protection (Water) Policy 2009 (b) minimise ecological impacts on waters in the locality (complying with water quality guidelines) (c) make use of stormwater for recycling and water conservation (d) make use of drainage corridors for improved recreational values and open space or landscape area (e) maintain acceptable health risks, aesthetics, protection from flooding, public safety and other social issues (f) maintain existing runoff conditions (g) maintain existing peak flow rates (h) preserve existing drainage paths.	Prior to the commencement of site works
22.2	The stormwater designs and runoff assessment are to be submitted to DES and GRC for review and approval prior to a decision for a development permit for material change of use or reconfiguring a lot for the project.	As indicated

22.3	Undertake all works generally in accordance with the stormwater designs and systems approved under Condition 22.2	At all times
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<b>Condition 23 – Traffic management plan</b>		<b>Timing</b>
23.1	Prior to a decision for a development permit for material change of use or reconfiguring a lot for the project, a TMP for council-controlled roads for the proposed development must be agreed with and submitted to GRC. The final TMP must consider impacts 10 years beyond the last development stage.	As indicated
23.2	The TMP must address matters which include: <ul style="list-style-type: none"> <li>(a) traffic to be generated by the proposed development and the development's impact on the external road network</li> <li>(b) traffic to be generated by the proposed development on the major roads within the proposed development</li> <li>(c) requirements and timing of upgrades to Turkey Beach Road and Foreshores Road due to development traffic</li> <li>(d) the standard of the access road (Clarks Road) to the island from Foreshores Road</li> <li>(e) intersection treatments required due to development traffic at the following intersections: <ul style="list-style-type: none"> <li>(i) Bruce Highway/Turkey Beach Road</li> <li>(ii) Turkey Beach Road/Foreshores Road</li> <li>(iii) Foreshores Road/Clarks Road</li> </ul> </li> <li>(f) the minimum required standards for roads within the development.</li> </ul>	As indicated
23.3	The Manager of TMR (Assets and Operations) Fitzroy region must be consulted regarding any TMP which seeks to address intersections and road reserves involving a state-controlled road (e.g. Bruce Highway/Turkey Beach Road intersection).  <i>Note: Works proposed to state-controlled roads must be in accordance with TMR standards current at the time the works are to be undertaken.</i>	As indicated
23.4	If the TMP identifies a requirement for access and intersection treatment due to development traffic, the work must be carried out by the proponent at their cost.	As indicated

<b>Condition 24 – Council-controlled roads</b>		<b>Timing</b>
24.1	GRC requirements for upgrading of council-controlled roads and intersections must be addressed and approved as part of the relevant material change of use of premises or reconfiguration of a lot.	As indicated

<b>Condition 25 – Public road standards</b>		<b>Timing</b>
25.1	All roads, to be designated as public roads, must be designed and constructed in accordance with GRC's codes, policies, standards and specifications applicable at the time of development.	As indicated
25.2	All internal accesses, internal driveways, circulation roads, commercial vehicle provisions, car parking and manoeuvring areas must be designed in accordance with AS 2890 and comprise a sealed pavement to GRC requirements. Turnarounds and intersections must be provided to cater for garbage collection trucks to the requirements of GRC.	As indicated
25.3	The maximum speed limit allowed within the project is 50 kilometres per hour, except the 500 m section of road linking the northern and southern components of the development which must be speed limited to 40 kilometres per hour.	At all times

<b>Condition 26 – Airstrip</b>		<b>Timing</b>
26.1	The proponent must consult with the Civil Aviation Safety Authority (CASA) and GRC in finalising the location and design of the proposed airstrip, before commencing construction.	As indicated
26.2	The airstrip must be constructed and operated in accordance with relevant CASA requirements, such as CASA's Manual of Standards Part 139 – Aerodromes.	As indicated
26.3	The height and location of buildings and other infrastructure must be in accordance with relevant CASA requirements.	At all times

<b>Condition 27 – Landscape master plan</b>		<b>Timing</b>
27.1	Landscaping shall be undertaken in accordance with GRC's codes and policies applicable at the time of development and shall be maintained to the satisfaction of GRC.	As indicated
27.2	The proponent will prepare a detailed landscape master plan (LMP) for the development to be approved by GRC. The LMP must address the management of existing vegetation and the design and management of the public areas such as urban or tourist areas as well as infrastructure such as roads. Particular attention must be given to the early establishment of suitable vegetation and the creation of special areas suitable for waterbased recreation and enjoyment. The LMP must detail plant densities and species. Details on fertilizer and chemical usage will be provided in specifications attached to the approved landscaping plan.	Prior to the commencement of site works
27.3	Implement the works required in the approved landscape master plan.	Within twelve months of completion of the relevant stage of development
27.4	Maintain landscaping in accordance with the approved landscape master plan and repair or replace any damaged infrastructure or failing vegetation.	At all times until twelve months after completion of the relevant stage of development

<b>Condition 28 – Rehabilitation, management and conservation strategy</b>		<b>Timing</b>
28.1	<p>Prepare a rehabilitation, management and conservation strategy for GRC's approval for areas within Lot 3 on FD841442 which are not allocated for urban purposes. The strategy must:</p> <ul style="list-style-type: none"> <li>(a) identify areas which require rehabilitation, management and/or conservation works</li> <li>(b) outline the process and methods for undertaking the works</li> <li>(c) provide a forecast of expenditure for the works for the first seventeen (17) years following commencement of construction</li> </ul> <p><i>Note: urban purpose means land used for residential, industrial, sporting, recreation and commercial activities including but not limited to, dwelling house, hotel, indoor sport and recreation, multiple dwelling, office, outdoor sport and recreation, resort complex, shop, short-term accommodation, utility installation.</i></p>	Prior to the commencement of site works
28.2	Unless otherwise agreed with GRC, the proponent must undertake rehabilitation, ongoing management and conservation of all parts	As indicated



	<p>of Hummock Hill Island not allocated for urban purposes for not less than 17 years from commencement construction of stage 1 of the development or until such time as the income from GRC's rates and services charges applied to the developed land allows GRC to take over responsibility of management and funding of these areas.</p> <p><i>Note: urban purpose means land used for residential, industrial, sporting, recreation and commercial activities including but not limited to, dwelling house, hotel, indoor sport and recreation, multiple dwelling, office, outdoor sport and recreation, resort complex, shop, short-term accommodation, utility installation.</i></p>	
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<b>Condition 29 – Transfer of non-urban areas</b>		<b>Timing</b>
29.1	<p>Prior to making an application for a development permit for material change of use or reconfiguring a lot for all or part of the development subject to the preliminary approval, the proponent must:</p> <p>(a) provide a plan showing the exact boundary of the areas allocated for urban purposes within the lease, the esplanade, and the unallocated state land</p> <p>(b) provide to the assessment manager, a proposal for an agreement or arrangement whereby the part of the leasehold land not allocated for urban purposes will be transferred to protected area under the <i>Nature Conservation Act 1992</i> to be managed by an appropriate trusteeship arrangement prior to commencement of the development.</p> <p><i>Note: urban purpose means land used for residential, industrial, sporting, recreation and commercial activities including but not limited to, dwelling house, hotel, indoor sport and recreation, multiple dwelling, office, outdoor sport and recreation, resort complex, shop, short-term accommodation, utility installation.</i></p>	As indicated

<b>Condition 30 – Weed management plan</b>		<b>Timing</b>
30.1	<p>A weed management plan must be developed for the site and surrounds to meet standards acceptable to DAF (Biosecurity Queensland) and the GRC prior to any works occurring onsite and submitted to GRC for approval as part of each application for operational works.</p> <p><i>Note: for the purposes of this condition, 'site and surrounds' means Lot 3 on FD841442.</i></p>	Prior to the commencement of site works
30.2	Implement the activities and requirements outlined in the approved weed management plan.	At all times

<b>Condition 31 – Pest species management plan</b>		<b>Timing</b>
31.1	<p>The proponent must develop a pest species management plan for the site and surrounds to meet standards acceptable to the QH, GRC and any other relevant agencies prior to any works occurring onsite and submitted to GRC for approval as part of each application for operational works.</p> <p><i>Note: for the purposes of this condition, 'site and surrounds' means Lot 3 on FD841442.</i></p>	As indicated
31.2	Implement the activities and requirements outlined in the approved pest species management plan.	At all times

Condition 32 – Visual amenity impacts	Timing
<p>32.1 The proponent must implement the following measures to avoid where possible or mitigate visual amenity impacts of the project:</p> <ul style="list-style-type: none"> <li>(a) design the Boyne Creek bridge to maintain some view of the landscape beyond the bridge</li> <li>(b) locate all buildings and infrastructure including road cuttings below any prominent ridge line or hilltop so that there are no visible changes in the skyline</li> <li>(c) conform location and design of access roads and driveways to the landform and cause minimum visual impact or erosion hazard</li> <li>(d) restrict roof tops of buildings to below the canopy height of the surrounding vegetation</li> <li>(e) where the cladding of any part of a house (including the roof and rain water tanks) is proposed to be in metal sheet, ensure cladding is non-reflective</li> <li>(f) where the wall cladding of a house is proposed to be in excess of 25 per cent timber siding or fibre cement siding or metal sheet, ensure cladding is painted or stained in muted tones prior to occupation of the house or within a specified time thereafter</li> <li>(g) to not use reflective factory finished metal sheets i.e. untreated galvanised sheet, aluminium, zincalume, or white, off white or silver paint finishes for roofs unless the slope of the roof is 10 per cent or less</li> <li>(h) retain existing vegetation on site, where practicable, and undertake only selected clearing for building envelopes and public spaces</li> <li>(i) plant landscaped areas in public and private spaces with species that are native and occur locally on Hummock Hill Island</li> <li>(j) undertake additional plantings using seedlings of mature trees that will achieve a height above 10 metres with a dense understorey to increase density and screening qualities of vegetation</li> <li>(k) limit development on the elevated sections of HHI and conform to GRC requirements</li> <li>(l) limit development on the ridgelines to single storey residences</li> <li>(m) limit development to three-storey dwellings or 13.5 metres above natural ground level, or below the level of trees or ridgelines, whichever is the lower (except at ridgelines, note above)</li> <li>(n) focus all lights in buildings and in public spaces on the areas required and, where possible, lights to be equipped with motion sensor switches to minimise light duration</li> <li>(o) shield external lighting in environmentally sensitive areas within the development, including the headland, to limit extraneous light where necessary or face away from coastal and habitat areas.</li> </ul> <p><i>Note: the visual amenity requirements are to be incorporated in the Plan of Development in accordance with condition 3.</i></p>	As indicated

<b>Condition 33 – Sustainability measures</b>		<b>Timing</b>
33.1	<p>The proponent must incorporate sustainability measures as outlined in the EIS, SEIS and list of commitments, in buildings and structures proposed to be erected in the project site. Such measures are to be included in the design guidelines for the development</p> <p><i>Note: the design guidelines for the development are to be incorporated in the Plan of Development in accordance with condition 3.</i></p>	As indicated

<b>Condition 34 – Environmental management plans</b>		<b>Timing</b>
34.1	The proponent and/or its contractor(s) must finalise the project environmental management plans for construction and operational management to the satisfaction of DES and GRC at least one month prior to commencing construction.	As indicated
34.2	The proponent must prepare a desalination plant and related activities (including the salt storage areas) decommissioning plan to form part of the EMP for the development.	As indicated
34.3	The proponent and/or its contractor(s) must comply with all requirements of approved environmental management plans.	At all times

<b>Condition 35 – Storm tide inundation area</b>		<b>Timing</b>
35.1	<p>The proponent should no later than three months prior to any works on the site:</p> <ul style="list-style-type: none"> <li>(a) provide a map identifying the part of Lot 3 on Plan FD841442 that is within a medium and/or high storm inundation area.</li> <li>(b) undertake a storm tide inundation area assessment for the site in accordance with the Department of Environment and Science's Coastal hazard technical guide. This guide is available at <a href="http://www.qld.gov.au/environment/assets/documents/coasts-waterways/plans/hazards-guideline.pdf">www.qld.gov.au/environment/assets/documents/coasts-waterways/plans/hazards-guideline.pdf</a>. The assessment will need to be conducted by a registered professional engineer of Queensland, or equivalent.</li> <li>(c) provide a report to DES demonstrating how the proposed development and siting is consistent with the guideline and detail suitable measures that will be taken to avoid, minimise, mitigate and offset any potential risks and impacts identified.</li> </ul> <p><i>Note: Mitigation measures should consider the design and layout of the overall project, the construction of discrete buildings and infrastructure, and ongoing management practices during the development's operation.</i></p>	Prior to the commencement of site works
35.2	Implement the recommendations of the approved storm tide mitigation strategy.	At all times

<b>Condition 36 – Bushfire management</b>		<b>Timing</b>
36.1	<p>Develop and implement a bushfire management plan prior to construction. The plan is to be developed by a suitably qualified person in accordance with the Queensland State Planning Policy and include:</p> <ul style="list-style-type: none"> <li>(a) a detailed bushfire hazard and risk assessment, in accordance with the Natural hazards, Risk and Resilience – Technical Manual – A 'fit for purpose' approach in undertaking natural hazard studies and risk assessments</li> </ul>	Prior to the commencement of site works

	<p>(b) comprehensive bushfire hazard and risk management plans that are informed by the aforementioned bushfire hazard and risk assessment; and</p> <p>(c) the proponent will work in partnership with the Queensland Fire and Emergency Service (QFES), Queensland Parks and Wildlife Service (QPWS) and the Gladstone Regional Council (GRC) in the preparation and implementation of the bushfire assessments and management plans.</p>	
36.2	All buildings are to be designed in accordance with Australian Standard 3959-2009: Construction of buildings in bushfire-prone areas.	At all times

## Part B – Agency conditions

Condition 37		Entity with jurisdiction
37.1	<p>(a) Unless otherwise agreed with the entity with jurisdiction for this condition, the proponent must:</p> <ul style="list-style-type: none"> <li>(i) provide land within the project of a suitable size and location for fire and rescue and ambulance infrastructure</li> <li>(ii) provide land within the project of a suitable size and location for police infrastructure (including station, holding cells/watch house, residential accommodation and other necessary facilities (e.g. storage)</li> <li>(iii) construct fire and rescue and ambulance infrastructure</li> <li>(iv) construct police infrastructure</li> <li>(v) undertake a combination of land dedication and construction works pursuant to points (i)–(iv) above, or</li> <li>(vi) provide assistance, either financially or by other agreed means, to improve the current facilities responsible for ambulance and fire brigade servicing the proposed development area, or</li> <li>(vii) be in accordance with any other agreement reached between the developer and the relevant state authority on behalf of the state to discharge this condition, prior to the commencement of the use.</li> </ul> <p>(b) Any construction of police, fire and rescue and ambulance infrastructure must comply with the contemporary operational standards for the location, design and construction of such facilities.</p> <p>(c) The proponent/developer must not market or advertise any agreement with the state about potential new, or upgrading of, ambulance, fire brigade or police services as part of the project.</p>	The Chief Executive of the QPS and Chief Executive of QFES are the entities with jurisdiction for this condition.

Condition 38		Entity with jurisdiction
38.1	Before commencing any construction works, the proponent must consult with the QPS, QFES and other emergency services agencies to develop a risk management plan and emergency response plan for all stages of the project.	The Chief Executive of the QPS and Chief Executive of the QFES.

Condition 39		Entity with jurisdiction
39.1	<p>At all times and for each stage of the project, the proponent must maintain the safety, condition and efficiency of state-controlled roads.</p> <p>(a) To demonstrate compliance with the above outcome requirement, the proponent, in consultation with TMR and the relevant LGA, must:</p> <ul style="list-style-type: none"> <li>(i) Update the road impact assessment (RIA) for each stage of the project to describe impacts on the safety, efficiency and condition of state-controlled and local roads. The RIA must: <ul style="list-style-type: none"> <li>(A) be developed in accordance with the TMR Guidelines for Assessment of Road impacts of</li> </ul> </li> </ul>	The Chief Executive DTMR is the entity with jurisdiction for this condition.

	<p>Development (2006) (GARID)<sup>1</sup> and as required by the relevant LGA and include a completed TMR 'Transport Generation proforma'<sup>1</sup> detailing project-related traffic and transport generation information or as otherwise agreed in writing with TMR and the relevant LGA.</p> <p>(B) use TMR's Pavement Impact Assessment tools<sup>1</sup> or such other method or tools as agreed in writing with TMR and the relevant LGA.</p> <p>(C) clearly indicate where detailed estimates are not available and document the assumptions and methodologies that have been previously agreed in writing with TMR and relevant LGA, prior to RIA finalisation.</p> <p>(D) detail the final impact mitigation proposals, listing infrastructure-based mitigation strategies such as the <b>intersection of the Bruce Highway and Turkey Beach Road</b>, including contributions to road works/maintenance and summarising key road-use management strategies.</p> <p>(E) be approved in writing by TMR and the relevant LGA no later than six (6) months prior to the commencement of significant construction works<sup>2</sup>, or as otherwise agreed between the proponent, TMR and the relevant LGA.</p> <p>(F) Undertake or arrange for an Australian Level Crossing Assessment Model (ALCAM) assessment of the changed road/rail safety of the level crossing of Turkey Beach Road and the Northern railway line and negotiate with the relevant rail authority in regard to mitigating any identified impacts resulting from increased project traffic.</p> <p>(ii) Prepare a road-use management plan (RMP) for each stage of the project. The RMP must:</p> <p>(A) be developed in accordance with TMR's Guide to Preparing a Road-use Management Plan<sup>1</sup> and as required by the relevant LGA, with a view to also optimising project logistics and minimising road-based trips on all state controlled and local roads.</p> <p>(B) include a table<sup>1</sup> listing RMP commitments and provide confirmation that all works and road-use management strategies have been designed and will be undertaken in accordance with all relevant TMR standards, manuals and practices and as required by the relevant LGA.</p> <p>(C) be approved in writing by TMR and the relevant LGA no later than six (6) months prior to the commencement of significant construction works, or as otherwise agreed between the proponent, TMR and the relevant LGA.</p> <p>(iii) Prior to the commencement of significant project-related construction works, the proponent must:</p>	
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	<p>(A) Upgrade any necessary intersection/accesses and undertake any other required works in State-controlled and LGA road reserves, in accordance with the current TMR and LGA road planning and design policies, principles and manuals, unless otherwise agreed in writing with the TMR Fitzroy District Office and LGA;</p> <p>(B) Prior to undertaking any of these works and as required above, obtain the relevant licenses and permits, for example, under the <i>Transport Infrastructure Act (Qld) 1994</i> for works and project facilities/infrastructure within the State-controlled road corridor.</p> <p>(iv) undertake any required works and other impact mitigation strategies as required by the RIA and RMP, in accordance with latest relevant TMR and LGA policies and standards at the time of approval or agreement, prior to commencement of significant construction works unless otherwise agreed to in writing by TMR and the relevant LGA.</p> <p><i>Notes:</i></p> <ol style="list-style-type: none"> <li>1. Available at <a href="http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications.aspx">http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications.aspx</a> or Transport System Management Branch, Brisbane or TMR District Offices</li> <li>2. Significant construction works means physical construction, including significant and continuous site preparation work such as major clearing or excavation for foundations or the placement, assembly or installation of facilities or equipment at any site related to the project.</li> </ol>	
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Condition 40		Entity with jurisdiction
40.1	<p>The proponent must implement and manage a wildlife habitat management plan (WHMP) which incorporates beach and foreshore management. The WHMP must be provided to DES for approval prior to commencing construction.</p> <p>(a) The WHMP must:</p> <ol style="list-style-type: none"> <li>(i) define the impact of the development on the species populations</li> <li>(ii) provide for the survival of the species in the wild</li> <li>(iii) achieve a net conservation benefit for the species</li> <li>(iv) consider and address changes to species composition that may potentially occur as a result of the development.</li> </ol> <p>(b) The WHMP must include:</p> <ol style="list-style-type: none"> <li>(i) wildlife habitat and movement corridors in the design, construction and operation of the project. This must include: <ol style="list-style-type: none"> <li>(A) designing and managing the development to retain and enhance remaining vegetated areas and maximise fauna movement corridors (as discussed in this report)</li> <li>(B) designing and constructing a major fauna crossing (e.g. underpass culvert) along the sections of road that pass through vegetated areas to prevent fauna entering the roadway</li> </ol> </li> </ol>	<p>The Chief Executive of DES is the entity with jurisdiction for this condition.</p>

	<ul style="list-style-type: none"> <li>(C) implementing a roadside wildlife management plan to further protect wildlife in the vicinity of the access road</li> <li>(D) installing traffic calming devices in strategic locations such as the connectivity corridors noted in Figure 4.1 of this report</li> <li>(E) installing fauna exclusion fencing in appropriate locations, if necessary, as agreed with DES</li> <li>(F) considering the fauna sensitive design standards included in the Fauna Sensitive Road Design Manual – Volume 2: Preferred Practices</li> <li>(G) developing, implementing and funding activities to specifically eradicate fox, wild dog and feral cat numbers in the buffer zone between the project and the rest of the island and on land surrounding the bridge (e.g. trapping program)</li> <li>(H) prohibiting domestic cats within the project area and dogs from environmentally sensitive parts of the island such as beaches and protected areas</li> <li>(I) developing and implementing a beach and foreshore management plan (including a community education/awareness program) to manage the sensitive areas, particularly for turtles and shorebirds</li> <li>(J) establishing vegetated buffers of at least 100 m in width around the entire perimeter of the project footprint (80 m at the headland) to protect sensitive environments</li> <li>(ii) a management plan for the black-breasted button quail (<i>Turnix melanogaster</i>) that are likely to exist in littoral vineforest RE on the island</li> <li>(iii) a beach and foreshore management plan (including a community education/awareness program) in consultation with DES and NPSR to manage the sensitive areas, particularly for turtles and shorebirds</li> <li>(iv) an artificial lighting management plan that will include a range of methods to minimise impacts such as: <ul style="list-style-type: none"> <li>(A) turning off light sources</li> <li>(B) wattage reduction</li> <li>(C) repositioning lights behind structures</li> <li>(D) shielding</li> <li>(E) redirecting light sources</li> <li>(F) lowering lights and recessing lights so the light does not reach the beach</li> </ul> </li> <li>(v) measures in a community management statement to regulate domestic animals in residential precincts to avoid disturbing native fauna in open space areas</li> <li>(vi) measures to ensure all site rehabilitation work is undertaken and/or managed by appropriately qualified personnel.</li> </ul> <p><i>Note: The recommendations of the wildlife habitat management plan which relate to the design and/or location of development are to be incorporated into the Plan of Development</i></p>	
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Condition 41		Entity with jurisdiction
41.1	<p>(a) Complete and submit, as part of any operational works application for vegetation clearing, detailed mapping of REs on and around the project site in consultation with DNRME.</p> <p>(b) An application for a development permit for operational works for the clearing of native vegetation must include an offset for REs in accordance with the Queensland Environmental Offsets Policy (Version 1.2) June 2016.</p>	The Chief Executive of DNRME is the entity with jurisdiction for this condition.

Condition 42		Entity with jurisdiction
42.1	<p>(a) As part of the artificial lighting management plan mentioned in Condition 40.1 (b)(iv) provide details of how nesting turtles on Hummock Hill Island will be protected from the impacts of lighting through practical design, location and management commitments, including a detailed analysis of the potential visibility of all artificial lighting, including reflected light, at turtle-sensitive locations.</p> <p>(b) The artificial lighting management plan must specify the design, location and management of all lighting used in the development to ensure that no direct or reflected artificial lighting would be visible at turtle-sensitive areas after 7.30 pm during the nesting and hatching season, which extends from 1 October to 31 March, except as required for emergencies or marine safety.</p> <p>(c) Where, for legal or safety reasons, lighting cannot be excluded or shielded completely from turtle-sensitive areas during the nesting and hatching period, the proponent must make practical design and management commitments to ensure that the lighting will have no significant effect on turtle nesting and hatchlings.</p> <p>(d) Commitments to the design, location, and management of all lighting must be made legally binding on all future owners and/or lessees.</p> <p><i>Note: The recommendations of the artificial lighting management plan which relate to the design and/or location of development are to be incorporated into the Plan of Development.</i></p>	The Chief Executive of DES is the entity with jurisdiction for this condition.

Condition 43		Entity with jurisdiction
43.1	<p>(a) The proponent must develop and implement a marine ecological monitoring program (MEMP) to map and monitor key marine communities in the area, including coral communities, seagrass beds and mangrove communities.</p> <p>(b) The proponent must consult with DAF and DES to develop the monitoring methodology including sites, frequencies, specific techniques, trigger points and subsequent actions.</p> <p>(c) The MEMP must include baseline monitoring including at least two monitoring events (winter and summer) over at least 12 months and an ongoing monitoring campaign every five years.</p> <p>(d) All marine ecological monitoring results must be provided to DAF and DES.</p>	The Chief Executive of DAF is the entity with jurisdiction for this condition.

<b>Condition 44</b>		<b>Entity with jurisdiction</b>
44.1	<p>Prior to commencement of construction in each precinct, the applicant must provide to DNRME a site-specific acid sulfate soil management plan developed and implemented in accordance with:</p> <ul style="list-style-type: none"> <li>(a) the Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines</li> <li>(b) Instructions for the Treatment and Management of Acid Sulfate Soils or any updates of them as they become available.</li> <li>(c) The acid sulfate soil management plan must be developed by consultants experienced in large-scale development projects containing acid sulfate soils, in consultation with DNRME and include a commitment to be on-site during excavation and treatment activities.</li> </ul>	The Chief Executive of DNRME is the entity with jurisdiction for this condition.

<b>Condition 45</b>		<b>Entity with jurisdiction</b>
45.1	<ul style="list-style-type: none"> <li>(a) The 100-year ARI storm tide level for the development shall be 3.45m AHD as derived from the Water Technology report titled 'Pacificus Development, Hummock Hill Island, Assessment of Erosion Prone Area Width', dated June 2016 (ref.: 4363-01_R01v02).</li> <li>(b) An additional freeboard shall be provided in addition to the 100 year ARI storm tide level of 0.3m (i.e. 3.75m AHD) to fill pads and 0.5m (i.e. 3.95m AHD) to habitable floor levels.</li> </ul>	The Chief Executive of DES is the entity with jurisdiction for this condition.

## **Part C – Advice**

### Other approvals

This approval relates to the Preliminary approval overriding the Miriam Vale Shire Planning Scheme for a Material change of use for the Pacificus Tourism Project Plan of Development. All other approvals and/or permits required under local, state and/or commonwealth legislation must be obtained prior to the commencement of the use.

### Cultural heritage – duty of care

Where items of archaeological importance are identified during construction of the project, the proponent must comply with its duty of care under the *Aboriginal Cultural Heritage Act 2003* and the Department of Environment and Heritage Protection 2014 guideline: archaeological investigations. All work must cease and the relevant State agency must be notified. Work can resume only after State agency clearance is obtained.

### Changes to conditions

Any change to conditions (whether foreshadowed by the condition or otherwise) must be applied for through the relevant planning legislation.

### Entrance statement

The design of the entrance statement for the project is to be undertaken in consultation with Council. The entrance statement/private art piece at the main entrance to the development should depict the history and nature of the Hummock Hill area. The design is to incorporate a range of colours and materials and is to be incorporated into the landscaping along the front of the site to promote a visually attractive piece reflective of local history. The timing of the defined entry statement/private art piece is to be part of the construction of the Boyne Creek bridge.

## SCHEDULE 2 – COVID EXTENSION CONFIRMATION





27 September 2022

Eaton Place Pty Ltd  
C/- Mr Peter Scarf  
Level 2, 287-289 New South Head Road  
EDGECLIFF NSW 2027  
peterscarf@gmail.com

Dear Sir

**CURRENCY PERIOD**  
**PLANNING ACT 2016 S275F & S275R**

**DA/94/2009 PRELIMINARY APPROVAL - PRELIMINARY APPROVAL OVERRIDING THE PLANNING  
SCHEME - HUMMOCK HILL ISLAND DEVELOPMENT  
LOT 3 HUMMOCK HIGHWAY, FORESHORES QLD 4678  
LOT 3 FD 841442**

Reference is made to the abovementioned application and the currency period of this approval. The application was approved by the Co-Ordinator General on 2 November 2018 under s3.1.6 of the *Integrated Planning Act 1997*. Under s3.5.21 of *Integrated Planning Act 1997*, the currency period is 4 years from the date the approval takes effect (ie. 2 November 2022).

The Minister for State Development, Infrastructure, Local Government and Planning declared a COVID-19 applicable event pursuant to section 275F of the *Planning Act 2016*. This allowed any development approval that was in effect as at 8 July 2020 to be subject to additional currency. This was extended three times to a total of 2 years. Given this, it is confirmed that DA/94/2009 is current until **2 November 2024**.

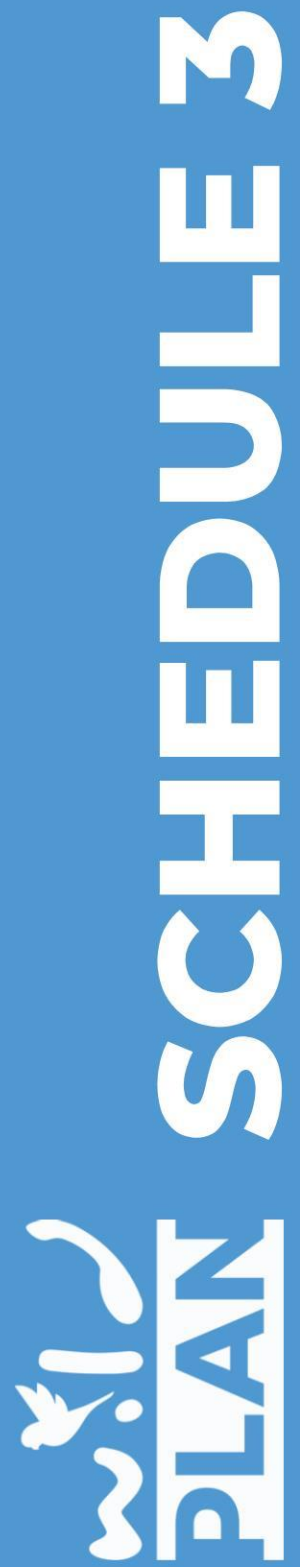
Should you have any queries in relation to this matter, please contact Council's Development Services Department on (07) 4970 0700.

Yours sincerely



T R MCDONALD  
**A/MANAGER DEVELOPMENT SERVICES**

## SCHEDULE 3 – OWNER CONSENT



Author: Katie Bates  
Our Ref: 2024/003087  
Unit: Land and Surveying Services  
Phone: (07) 4447 9169



Department of Resources

23 August 2024

Eaton Place Pty Ltd  
PO Box 546  
EDGECLIFF NSW 2027  
Attn: Mr Peter Scarf

Via email: [peter@pacificus.com.au](mailto:peter@pacificus.com.au)

Dear Peter,

**Request for Owner's Consent to accompany an Extension Application to extend the currency period of a Preliminary Approval**

Reference is made to your request dated 25 July 2024 for owners consent to lodge an Extension Application in terms of section 86(2A) of the *Planning Act 2016* to extend the currency period to 2 November 2032 for the Preliminary Approval for a material change of use to vary the effect of the Miriam Vale Shire Planning Scheme (DA/94/2006).

The department hereby gives owner's consent as the owner to accompany the Extension Application for the purpose of section 86(2A) of the *Planning Act 2016*.

Although owner's consent for the Extension Application has been provided, you are always required to comply with the purpose, terms and conditions of Permit to Occupy 0/241348 described as Lot 3 on Crown Plan FD841442.

A copy of this letter is to be attached to your DA Form as the required evidence of owners consent.

You will also need to comply with all other legislative and regulatory requirements which may also include approvals that are not part of the assessment of the application under the *Planning Act 2016* e.g. a marine park permit if in a marine park.

Further, please note that the above consent will expire on **23 February 2025**. Should the application not be lodged with the assessment manager or responsible entity prior to this date, you will be required again to lodge the relevant DA Form and any attachments to the Department with a further request for owner's consent - any further request will need to be reconsidered by the Department.

It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.

Finally, owner's consent is required under the *Planning Act 2016* to enable the application to be considered properly made for lodging with the assessment manager or responsible entity and is a completely separate process to assessment of the application under the *Planning Act 2016*.

Accordingly, the State may act at a later date as assessment manager in the assessment of the application - providing owner's consent will not influence any role the State may have in this development assessment.

If you wish to discuss this matter please contact Katie Bates on (07) 4447 9169.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [lasslsmajorprojects2@resources.qld.gov.au](mailto:lasslsmajorprojects2@resources.qld.gov.au). Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2024/003087 in any future correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Lodge'.

Karen Lodge

Senior Land Officer

A duly authorised delegate of the Minister  
under the current Land Act (Ministerial) Delegation