



Document No. 1140643
GPC Ref: DA2015/01

Gladstone Ports Corporation
Growth, Prosperity, Community.

DECISION NOTICE – DA 2015/01

SUSTAINABLE PLANNING ACT 2009 S334 & S335

Application:	Operational Works that is Tidal Works
Applicant Name and address:	Bundaberg Moorings Pty Ltd 48 Bluebell Road West TINANA QLD 4650
Owner:	Gladstone Ports Corporation Limited
Subject Land:	Lot 285 on SP140276
Location:	Burnett River, Port of Bundaberg
Present Zoning	Strategic Port Land
Proposed Use:	Mooring Pile Installation
Application Received:	30 January 2015

This development application was assessed on: 15 April 2015

1. Details Of The Approval

Development Permit:

Operational Works that is Tidal Works – Mooring Pile Development – Total of 73 piles.

2. Assessment Manager's Conditions

In general the facilities are in compliance with the requirements of Gladstone Ports Corporation. It is to be noted that the following conditions will be complied with in the granting of this Development Application.

GENERAL

1. The proposed development must be carried out generally in accordance with the plans as lodged with the application except where modified by conditions of this permit.
2. Unless otherwise stated, all conditions must be completed prior to the commencement of the use.
3. Where additional "approval" is required under these conditions by the Gladstone Ports Corporation for drawings or documentation, the proponent must submit for review, amend to the satisfaction of, and obtain written acceptance from the Gladstone Ports Corporation. Only in this manner can compliance with the condition be achieved.

4. The proponent must inform the GPC of completion of works within 14 days of practical completion and undertake a site inspection with GPC. The proponent must also certify that the site is fit for purpose.
5. The proponent must at its cost and expense, keep and maintain the subject area, including existing services, in a state that is satisfactory to the Port.

ENGINEERING

6. The proponent must supply the Port with "As Constructed" plans in both hard copy (2 of) and electronic format which illustrates all infrastructure on Port land which is associated with the activity (e.g. piles, tie up arrangements, lighting etc.)
7. The proponent is responsible for maintaining the required depth for mooring facility in the event of excessive siltation due to their activities. The method of maintenance must be agreed and approved by GPC prior to the initiation of any works associated with the berth maintenance.
8. Navigational clearance lighting is to be installed to the satisfaction of the Regional Harbour Master.
9. Fuelling of vessels at this facility is not permitted. Fuelling activities must be undertaken at a licensed facility.
10. Any maintenance undertaken on floating plant, equipment or vessels at this facility must be done in such a manner that zero debris, emissions or material is released into the receiving waters.
11. Any material which is deposited or any debris which falls or is deposited on tidal lands or into tidal waters during the construction of the Works shall be removed by the proponent at its cost and expense. At the end of the construction, the proponent shall certify the seabed is clear of foreign materials before Practical Completion.
12. If, as a result of removal of material, or any other cause attributable to the proponent any bank or structure is displaced, the proponent at its cost and expense shall restore the bank or structure to its former condition and take such other action as is necessary to ensure the stability of the bank or structure to the satisfaction of the Regional Harbour Master.
13. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) shall be restricted to between 7:00am and 6:00pm Monday to Saturday. No works shall be undertaken on Sundays or public holidays. Any variations to these times will be subject to the approval of GPC.

ENVIRONMENT

14. Prior to works commencing on site, a final Construction Environmental Management Plan (CEMP) or Safe Work Method Statement (Safety and Environment) specific to this application and its associated works, is to be submitted to GPC's Environment Manager, for approval. Furthermore, GPC will require no less than 10 business days to initially assess the CEMP specific to this application and its associated works. Should further information be required to be provided for the assessment of the CEMP specific to this application and its associated works, GPC will require a further 5 business days to complete the information request response. The final CEMP shall include provisions for:

- a. Waste management and house-keeping aboard construction vessels and equipment;
 - b. Recovery of any debris dropped onto the floor of the seabed within the lease areas during construction; and
 - c. Emergency Response planning – vessels and spills, health and safety.
16. GPC's Environment Manager is to be notified as soon as practical after the proponent has become aware of any non-compliance with any environmental approval conditions (including those of other regulatory agency approvals) specific to this approval and its associated works.
17. GPC's Environment Manager is to be notified of the occurrence of any incident resulting in environmental nuisance or harm (to air, land, water, flora or fauna) as a result of the activity/s specific to this approval and its associated works, according to the following methods and timeframes:
- a. Verbal notification immediately after occurrence of incident
 - b. Written notification within 24 hours of occurrence of incident
18. The holder of this permit shall carry out site operations in accordance with an approved Operations Environmental Management Plan.
19. Prior to commencement of the activity, a final Operations Environmental Management Plan (OEMP) is to be submitted to GPC's Environment Manager, for approval. GPC will require no less than 10 business days to initially assess the OEMP specific to this application and its associated works. Should further information be required to be provided for the assessment of the OEMP specific to this application and its associated works, GPC will require a further 5 business days to complete the information request response. The final OEMP shall include provisions for:
- Maximum capacity of facility and maximum size of vessels to utilise the facility;
 - Environmental/User requirements to be issued to facility users prior to commencing use of the facility;
 - Details of any environmental services to be provided to facility users e.g. waste storage/disposal;
 - Maintenance of the facility; and
 - Emergency response planning including oil spill response.
20. Prior to commencement of the activity, a final Fire Safety Management Plan (FSMP) for facility operations, approved by Qld Fire and Emergency Services, is to be submitted to GPC's Property Manager for our records.

3. Concurrence Agency Conditions –

Department of State Development, Infrastructure and Planning

The Decision Notice conditions of the Department of State Development, Infrastructure and Planning acting as a Concurrence Agency are as per their letter dated 14 April 2015 attached.

4. The Approved Plans –

The approved plans and/or documents forming part of this decision notice are listed in the following table:

Document Reference	Plan / Document Name	Date
DWG No.: FMM0124 SHT1-2 Rev 1	Proposed mooring Town Reach Bundaberg	28/10/2013

5. When the Development Approval Takes Effect –

If the application is approved, or approved subject to conditions, the decision notice, or if a negotiated decision notice is given, the negotiated decision notice, is taken to be the development approval and has effect—

- (a) if there is no submitter and the applicant does not appeal the decision to the court or a building and development committee, from when—
 - (i) the decision notice is given; or
 - (ii) if a negotiated decision notice is given - the negotiated decision notice is given; or
- (b) if there is a submitter and the applicant does not appeal the decision to the court or a building and development committee—
 - (iii) when the submitters appeal period ends; or
 - (iv) if the last submitter gives the assessment manager written notice that the submitter will not be appealing the decision before the period mentioned in subparagraph (i) ends—on the day the last submitter gives the notice; or
- (c) if an appeal is made to the court or a building and development committee, subject to sections 490(3) and 553(3) and the decision of the court or committee under section 496 or 564 – when the appeal is finally decided or withdrawn.

6. When Approval Lapses if Development Not Started

The relevant periods stated below apply to each aspect of development in this approval, as outlined below:-

- material change of use - 4 years
- any other development not listed above - 2 years

7. Other Necessary Development Approvals

Listed below are the other development permits that are necessary to allow the development to be carried out:

- Nil

8. Referral Agencies

The IDAS referral agencies applicable to this application are:

Referral Trigger	Agency Name	Status	Address
Operational Works that is Tidal Works for	Department of State Development, Infrastructure and Planning	Referral	DSDIP State Assessment and Referral Agency PO Box 979 BUNDABERG QLD 4670

6. Appeal Rights

Attached is an extract from the Sustainable Planning Act 2009 which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

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

- The refusal, or refusal in part of the development application
- Any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of the Sustainable Planning Act
- The decision to give a preliminary approval when a development permit was applied for
- The length of a period mentioned in section 341.

7. Assessment Manager Certification



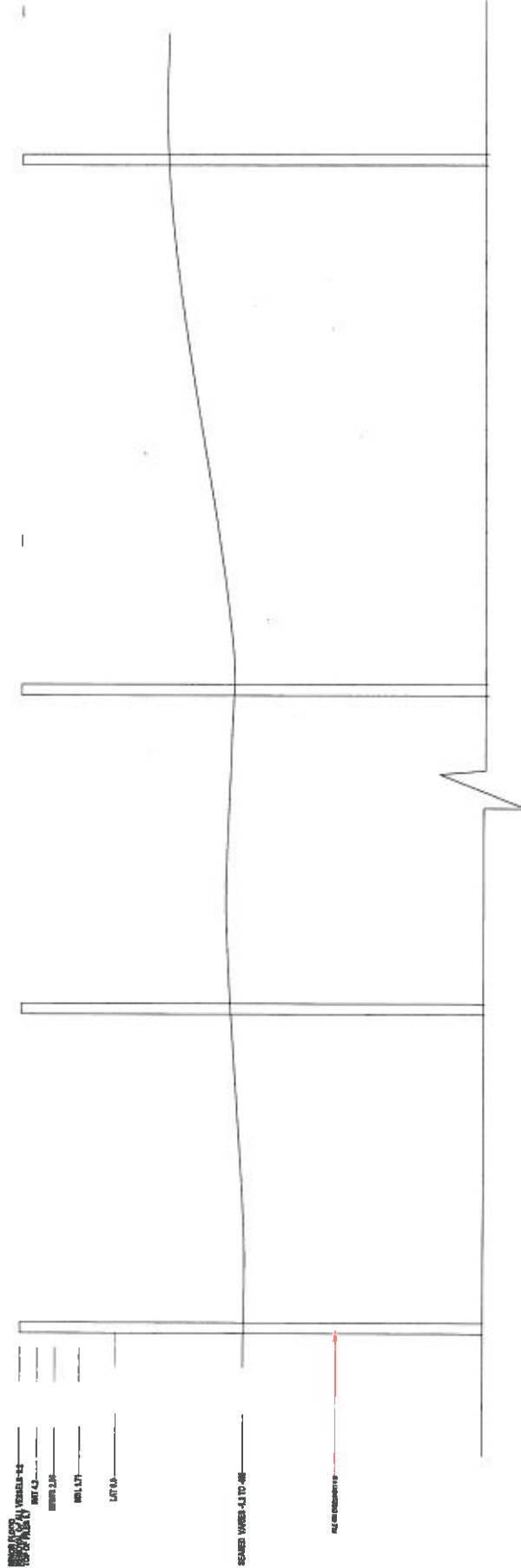
Sarah Hunter
Senior Planning Officer
15 April 2015

Cc: Referral Agencies

41 PILES THIS SIDE



PLAN VIEW



**TYPICAL SIDE ELEVATION DETAIL
PILES VARY IN SPACING BETWEEN 20 AND 35 M**

APPROVED

1 RECALLED FOR REVIEW 0 ISSUED FOR APPROVAL	Y/S 1	DESCRIPTION 1:100	DATE 28/10/2013	SCALE 1:100	SHEET NO. FMM/0124	SHEET 1
			DRAWN Y/S	CHECKED Y/S	DATE DATE	CLIENT FORESHORE MARINE (QLD) PTY LTD

FORESHORE MARINE
 54 BLUERILL RD, TIVANA 4650
 E-MAIL: foreshoremarine@bigpond.com
 MOB: 0438066663

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Queensland
Government

Department of
State Development,
Infrastructure and Planning

Our reference: SDA-0215-018147

Your reference:

14 April 2015

Gladstone Ports Corporation
40 Goondoon Street
Gladstone QLD 4680
hunters@gspc.com.au

Attention: Sarah Hunter

Dear Ms Hunter

Concurrence agency response—with conditions

Burnett River, Bundaberg, QLD 4670 – Lot 285 on SP140276

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 11 February 2015.

Applicant details

Applicant name: Bundaberg Moorings Pty Ltd
Applicant contact details: 48 Bluebell Road
Tinana QLD 4650
foreshore.marine@bigpond.com

Site details

Street address: Burnett River, Bundaberg, QLD 4670
Lot on plan: Lot 285 on SP140276
Local government area: Bundaberg Regional Council

For further information, please contact Shayne McCormick, Senior Planning Officer, SARA Wide Bay Burnett on 4331 5603, or email WBBSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Michelle Riley
Manager Planning
Wide Bay Burnett

cc: Bundaberg Moorings Pty Ltd, foreshore.marine@bigpond.com
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3— Approved Plans and Specifications

Our reference: SDA-0215-018147

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Operational Work		
<i>Operational Work - Tidal works, or development in a coastal management district</i> — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Environment and Heritage Protection to be the assessing 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.	The development should be carried out generally in accordance with the following plans: Proposed Mooring Town Reach Bundaberg, prepared by Foreshore Marine Pty Ltd, dated 28/10/2013, Drawing Number FMM0124 issue 1.	At all times
2.	During the construction phase of the works: (a) install and maintain all measures, plant and equipment necessary to ensure compliance with these conditions; (b) only use materials which are: i. clean and free of silt; ii. free from pests, chemicals and other contaminants as defined under section 11 of the <i>Environmental Protection Act 1994</i> ; and iii. suitable for the purpose; and (c) promptly remove any material or debris which has been deposited within the coastal management district or tidal waters, other than in accordance with this approval.	For the duration of the works the subject of this approval
3.	Erosion and sediment control measures are to be installed and maintained to prevent the release of sediment into tidal waters.	Prior to commencement of the work and maintained until their completion
4.	Any disturbed or oxidised acid sulfate soil must be treated and managed in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines v4.0</i> , prepared by the Department of Science, Information Technology, Innovation and the Arts.	For the duration of the works the subject of this approval.
5.	RPEQ certification confirming the development has been constructed in accordance with the Department of Environment and Heritage Protection guideline ' <i>Building and Engineering standards for tidal works</i> ' or relevant Australian standards. A copy of the certification must be provided to: Department of Environment and Heritage Protection Permit and License Management, Implementation and Support Unit GPO Box 2454 Brisbane QLD 4001	Within two (2) weeks of the completion of the works

Our reference: SDA-0215-018147

Your reference:

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application; and
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.

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part of the local planning instrument, in force for the local government at a time stated in the document, the chief executive officer may so certify the document.

- (2) In a proceeding, a document certified under subsection (1) is admissible in evidence as if it were the original local planning instrument or part of the instrument.

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
- (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the *applicant's appeal period*) after—
- (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.

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- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
- (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
- (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
- (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the *submitter's appeal period*) after the decision notice or negotiated decision notice is given to the submitter.

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463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - (b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

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- (b) any part of the approval relating to the assessment manager's decision under section 327.
 - (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
 - (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

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- (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 9 Appeals to court about compliance assessment

468 Appeals against decision on request for compliance assessment

- (1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the notice is given to the person.

469 Appeals against condition imposed on compliance permit or certificate

- (1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.
- (2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.

470 Appeals against particular decisions about compliance assessment

- (1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice—
 - (a) a notice of a decision on a request to change or withdraw an action notice;
 - (b) a notice under section 413(2)(c) about a decision to refuse a request to change a compliance permit or compliance certificate.
- (2) The appeal must be started within 20 business days after the day the notice is given to the person.

Division 10 Appeals to court about other matters

472 Appeal about extension of period under s 98

- (1) A person who has requested an extension under section 98(2) may appeal to the court against a refusal of the request.
- (2) An appeal under subsection (1) must be started within 20 business days after the day the person is given notice of the refusal.

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- (3) Also, a person who has made a request under section 98(2) may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.
- (5) However, an appeal under this section may only be about whether the refusal is so unreasonable that no reasonable relevant local government could have refused the request.

473 Appeals against enforcement notices

- (1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
- (2) The appeal must be started within 20 business days after the day notice is given to the person.

474 Stay of operation of enforcement notice

- (1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until—
 - (a) the court, on the application of the entity issuing the notice, decides otherwise; or
 - (b) the appeal is withdrawn; or
 - (c) the appeal is dismissed.
- (2) However, subsection (1) does not apply if the enforcement notice is about—
 - (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
 - (b) stopping the demolition of a work; or
 - (c) clearing vegetation on freehold land; or

- (d) the removal of quarry material allocated under the *Water Act 2000*; or
- (e) extracting clay, gravel, rock, sand or soil, not mentioned in paragraph (d), from Queensland waters; or
- (f) development the assessing authority reasonably believes is causing erosion or sedimentation; or
- (g) development the assessing authority reasonably believes is causing an environmental nuisance.

475 Appeals against local laws

- (1) This section applies if—
 - (a) an applicant is dissatisfied with a decision of a local government or the conditions applied under a local law about the use of premises or the erection of a building or other structure; and
 - (b) the use is not prohibited development under the planning scheme or a temporary local planning instrument for the planning scheme area.
- (2) The applicant may appeal to the court against the decision or the conditions applied.
- (3) The appeal must be started within 20 business days after the day notice of the decision is given to the applicant.

475A Appeals against decisions under ch 8A

- (1) A person who has been given an information notice for a decision of the Minister under chapter 8A, part 3 may appeal to the court against the decision.
- (2) An appeal under subsection (1) must be started within 20 business days after the day the information notice is given.
- (3) If the Minister decides, under chapter 8A, part 3, to register premises or to renew the registration of premises, a relevant

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person for the premises who is dissatisfied with the decision may appeal to the court against the decision.

- (4) An appeal under subsection (3) must be started within 20 business days after the day notice about the registration or renewal is published under section 680Y.
- (5) In this section—

relevant person, for premises, means any owner or occupier of land in the affected area for the premises.

476 Appeals against decisions on compensation claims

- (1) A person who is dissatisfied with a decision under section 710 or 716 for the payment of compensation may appeal to the court against—
 - (a) the decision; or
 - (b) a deemed refusal of the claim.
- (2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.
- (3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

477 Appeals against decisions on requests to acquire designated land under hardship

- (1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 222 may appeal to the court against—
 - (a) the decision; or
 - (b) a deemed refusal of the request.
- (2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

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- (3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

478 Appeals about infrastructure charges notice

- (1) The recipient of an infrastructure charges notice may appeal to the court about the decision to give the notice.
- (2) However, the appeal may be made only on 1 or more of the following grounds—
- (a) the charge in the notice is so unreasonable that no reasonable relevant local government could have imposed it;
 - (b) the decision involved an error relating to—
 - (i) the application of the relevant adopted charge; or
 - (ii) the working out, for section 636, of additional demand; or
 - (iii) an offset or refund;
 - (c) there was no decision about an offset or refund;

Examples of possible errors in applying an adopted charge—

- the incorrect application of gross floor area for a non-residential development
 - applying an incorrect 'use category' under an SPRP (adopted charges) to the development
- (d) if the infrastructure charges notice states a refund will be given—the timing for giving the refund.
- (3) To remove any doubt, it is declared that the appeal must not be about—
- (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of infrastructure identified in an LGIP; or

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- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.
- (4) The appeal must be started within 20 business days after the day the recipient is given the relevant infrastructure charges notice.

478A Appeals against refusal of conversion application

- (1) The applicant for a conversion application may appeal to the court against a refusal, or deemed refusal, of the application.
- (2) The appeal must be started within the following period—
 - (a) if the applicant is given written notice of the refusal—20 business days after the day the applicant is given the notice;
 - (b) otherwise—20 business days after the end of the required period under section 660(5) for the application.

479 Appeals from building and development committees

- (1) A party to a proceeding decided by a building and development committee may appeal to the court against the committee's decision, but only on the ground—
 - (a) of an error or mistake in law on the part of the committee; or
 - (b) that the committee had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.
- (2) An appeal against a building and development committee's decision must be started within 20 business days after the day notice of the committee's decision is given to the party.

480 Court may remit matter to building and development committee

If an appeal includes a matter within the jurisdiction of a building and development committee and the court is satisfied the matter should be dealt with by a building and development committee, the court must remit the matter to the committee for decision.

Division 11 Making an appeal to court

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or

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- (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
- (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
 - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
- (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or

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- (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
 - (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
 - (3) The notice must state—
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

483 Notice of appeals to other parties—compliance assessment

- (1) An appellant under division 9 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—
 - (a) if the appellant is a person to whom an action notice, compliance permit or compliance certificate has been given—
 - (i) the compliance assessor who gave the notice, permit or certificate; and
 - (ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or

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- (b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—
 - (i) the entity that gave the notice; and
 - (ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.
- (2) The notice must state the grounds of the appeal.

484 Notice of appeal to other parties—other matters

- (1) An appellant under division 10 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—
 - (a) if the appeal is under section 472 or 475—the local government; or
 - (b) if the appeal is under section 475A(1)—the Minister; or
 - (c) if the appeal is under section 475A(3)—the Minister and the owner of the registered premises; or
 - (d) if the appeal is under section 478—the entity that gave the notice the subject of the appeal; or
 - (e) if the appellant is a person to whom an enforcement notice is given—the entity that gave the notice and if the entity is not the local government, the local government; or
 - (f) if the appellant is a person dissatisfied with a decision about compensation—the local government that decided the claim; or
 - (g) if the appellant is a person dissatisfied with a decision about acquiring designated land—the designator; or
 - (h) if the appellant is a party to a proceeding decided by a building and development committee—the other party

to the proceeding.

- (2) The notice must state the grounds of the appeal.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - (a) the assessment manager is the respondent; and
 - (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - (c) any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—