

22 June 2020

Gidarjil Development Corporation Ltd
c/- Zone Planning Group
PO Box 5332
GLADSTONE QLD 4680

Email: scamilleri@zoneplanning.com.au

Dear Ms Camilleri

DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2020/06/01

(GIVEN UNDER S63 PLANNING ACT 2016)

1. Application Details

This development application was properly made to the Gladstone Ports Corporation Limited on **24 April 2020**.

Application Number:	DA2020/06/01
Applicant Name:	Gidarjil Development Corporation Ltd
Applicant Contact Details:	Sarah Camilleri Zone Planning Group PO Box 5332 GLADSTONE QLD 4680 Email: scamilleri@zoneplanning.com.au
Approvals Sought:	Material Change of Use for an Education Facility
Details of Proposed Development:	Extension of facility for the addition of building
Location Street Address:	2 Marina Drive, Burnett Heads QLD 4670
Location Real Property Description:	Lease EL on SP312628 in Lot 501 on SP279707
Land Owner:	Gladstone Ports Corporation Limited and
Present Zoning & Precinct	Strategic Port Land – Marine Industry Precinct

2. Details Of Proposed Development

Material Change of Use for an education facility with the addition of a new building to accommodate a kitchen and training room.

3. Details Of Decision

This development application was **decided** on **22 June 2020**.

This development application is **approved in full with conditions**. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

This application **is not** taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

4. Details Of Approval

This development approval is a **Development Permit** given for:

- a) Material Change of Use for an Education facility – Extension for addition of building.

5. Conditions

This development approval is subject to the conditions in Attachment 1 - Part 1.

6. Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Port application for engineering works;
2. Any approvals for building works; and
3. Any approvals for plumbing and drainage works.

7. Properly made submissions

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

8. Approved Plans and Specifications –

Copies of the following plans, specifications and/or drawings are enclosed in **Attachment 2**:

Drawing/report title	Prepared by	Date	Reference no.	Rev.
Aspect of development: Material Change of Use				
Site set-out plan	Leddy Sergiacomi & Assoc. Pty Ltd	11.01	Draw. No. 14207 as amended on 23/06/2020	
Proposed site layout	Multitrade Building Hire	25/11/2019	Draw. No. SQF-3554-01	A
12.0x6.0m training	Multitrade Building Hire	17/01/2020	Draw. No. SQF-3554-02	A
12.0x3.4m kitchen & (2)x12.0x3.0m covered decks	Multitrade Building Hire	17/01/2020	Draw. No. SQF-3554-03	A

Drawing/report title	Prepared by	Date	Reference no.	Rev.
Elevations	Multitrade Building Hire	04/06/2020	Draw. No. SQF-3554-05	B
3D Rendered Visuals Sheets 1 to 6	Multitrade Building Hire	04/06/2020	3D Render	A
Arrangement	Engineers Queensland	13/05/2020	BL2650D01	A
Details	Engineers Queensland	13/05/2020	BL2650D02	A

9. Currency Period for the Approval

This development approval will lapse at the end of the periods set out below:

- For Material Change of Use this approval lapses 6 years after this approval decision date – reference section 85 of the *Planning Act 2016*.

10. Rights of Appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Attachment 3 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

For further information please contact Judy Horsfall, Planning Officer, on 07 4976 1314 or the undersigned on 07 4976 1287 or via email planning@gpcl.com.au.

Yours sincerely



Erin Clark
Principal Planner
22 June 2020

Cc: Gladstone Regional Council

Enc. Attachment 1: Conditions of Approval
Part 1 – Conditions imposed by the assessment manager

Attachment 2: Approved plans and specifications

Attachment 3: Extract of appeal provisions

ATTACHMENT 1: CONDITIONS OF APPROVAL

PART 1: ASSESSMENT MANAGER CONDITIONS

In general the development proposal is in compliance with the requirements of Gladstone Ports Corporation Limited (GPC). This development approval is subject to each the following conditions which are stated by GPC, the Assessment Manager.

Part 1a: Approval sought under *Planning Act 2016* – Material Change of Use on Strategic Port Land

GENERAL

1. Development must be carried out generally in accordance with the approved plans as lodged with the application except where modified by conditions of this permit.
2. Unless otherwise stated, all conditions must be complied with and 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 applicant 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.

Furthermore, GPC will require no less than 10 business days, unless otherwise conditioned by GPC, to initially assess the drawings or documentation provided prior to the initiation of works. Should further information be required to be provided for assessment, GPC will require a further 5 business days to complete the information request response.

4. All other relevant approvals must be obtained before commencement of works or operation of the facility, including Port application any Building works or Plumbing and drainage works.
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 Assessment Manager (GPC).

Building Design

6. External building design, including colour use of the new structure must be generally consistent with Option 2 in Figure 3, replacing the use of cream/beige colour to the top portion with a shade of blue. Actual colours to be submitted to the Assessment Manager for approval prior to works commencing.

Note: In achieving compliance with this condition, the dark colour to the bottom and screening of the building is preferred. A light blue to the top, with dark red accent would be considered acceptable.

Lighting

7. Prior to the commencement of the use, design and install all external lighting in accordance with AS4282 – *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents, the airport, navigational aids or obstruct or distract pedestrian or vehicular traffic.

Turtle Sensitive Controls

8. External and interior lighting is designed and constructed to achieve its purpose while avoiding direct illumination of the beach, ocean and sky at night. Glare and light spill contributing to sky glow is to be minimised to the extent practicable.

Waste management

9. At all times, maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.

Hours of Operation

10. Unless otherwise approved in writing by the Assessment Manager (GPC), hours of operation for the approved use are limited to 0700 to 2200 Monday to Friday and 0700 to 1230 Saturday.

ENGINEERING

11. The proponent is required to apply for and obtain from GPC a Permit to Dig/Excavate prior to commencing works by contacting the Port Infrastructure Asset Manager. All reasonable and practical measures must be taken to identify, protect or relocate if necessary any services that may exist on site in compliance with relevant legislation and the relevant asset owning authority. Where relocation of services owned by GPC is preferred, the proponent will submit a plan to GPC for approval prior to commencing works. All costs associated with this condition shall be borne by the proponent.
12. Upon completion of the works, the proponent must supply GPC with RPEQ certified "As Constructed" plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity. The proponent must also certify that the development is constructed as per design and that the development has been constructed generally in accordance with the approved plans prior to the use commencing.
13. Prior to the submission of a Port Application for Operational works or landscaping, Building work application, or commencement of use, whichever comes first, submit to and have approved by the Assessment Manager (GPC) engineering drawings for stormwater infrastructure.
14. The proponent must notify the Assessment Manager (GPC) of damage caused to any port infrastructure or services located on port land e.g. buildings, carpark, landscaping, power, drainage etc. as a result of this activity. The applicant may undertake the repairs directly in consultation with GPC, however, depending upon the nature and location of the damage, GPC retains the right to undertake the repairs at the expense of the proponent.
15. Any repairs to damaged services must be undertaken to the satisfaction of the relevant asset owning authority. All costs associated with the service repairs shall be borne by the proponent.

Landscaping

16. Prepare and submit for approval to the Assessment Manager (GPC) a landscape plan with the Port Application for Operational works. The plan must be prepared in accordance with the Amenity outcomes of the Marine Industry Precinct in the Port of Bundaberg Land use plan 2009 and *GPC Landscaping Guideline*, and the conditions of this approval. The plan is to include, but not be limited to the following:
 - a. Location and name of existing trees;
 - b. List of proposed species to be utilised;
 - c. Location of any nearby infrastructure or services;
 - d. Details of the proposed outdoor artwork to improve amenity of the proposed structure, generally in the location shown on the approved site plan;
 - e. Provision of trees and other plants along the eastern building elevation;
 - f. Inclusion of the additional landscaping as shown in red on the approved amended site set-out plan; and
 - g. Details of any proposed watering system to be installed.

ENVIRONMENT

Construction Environmental Management Plan

17. Prior to works commencing on site, a Construction Environmental Management Plan (CEMP) specific to this application and its associated works, is to be submitted to the Assessment Manager (GPC) for approval, that ensures:
- environmental risks, including but not limited to, noise, odour, lighting, dust, and potential and actual acid sulphate soils are identified, managed and continually assessed in relation to the construction activity;
 - staff are trained and aware of their obligations under the CEMP, including a copy of the management plan and development approval available on site at all times;
 - reviews of environmental performance are undertaken at least annually; and
 - any amendments to the CEMP are to be submitted to GPC for review and approval.

Once approved by the Assessment Manager (GPC), the construction activity must be carried out in accordance with this CEMP.

Note: GPC has a guideline for the development of environmental management plans that may be utilised in meeting the requirements of this condition.

Environmental Management Plan

18. At least 10 days prior to the commencement of the use, an Environmental Management Plan (EMP) is to be submitted to the Assessment Manager (GPC) for approval, specific to the development that ensures:
- environmental risks are identified, managed and continually assessed; and
 - sustainability strategies are investigated, identified and implemented including waste management/recycling;
 - that staff are trained and aware of their obligations under the EMP, including a copy of the management plan and development approval available on site at all times;
 - that reviews of environmental performance are undertaken at least annually;
 - any amendments to the EMP are to be submitted to GPC for review and approval; and
 - any rehabilitation and decommissioning works where required.

Once approved by the Assessment Manager, the approved development must be carried out in accordance with this EMP.

Note: GPC has a guideline for the development of environmental management plans that may be utilised in meeting the requirements of this condition.

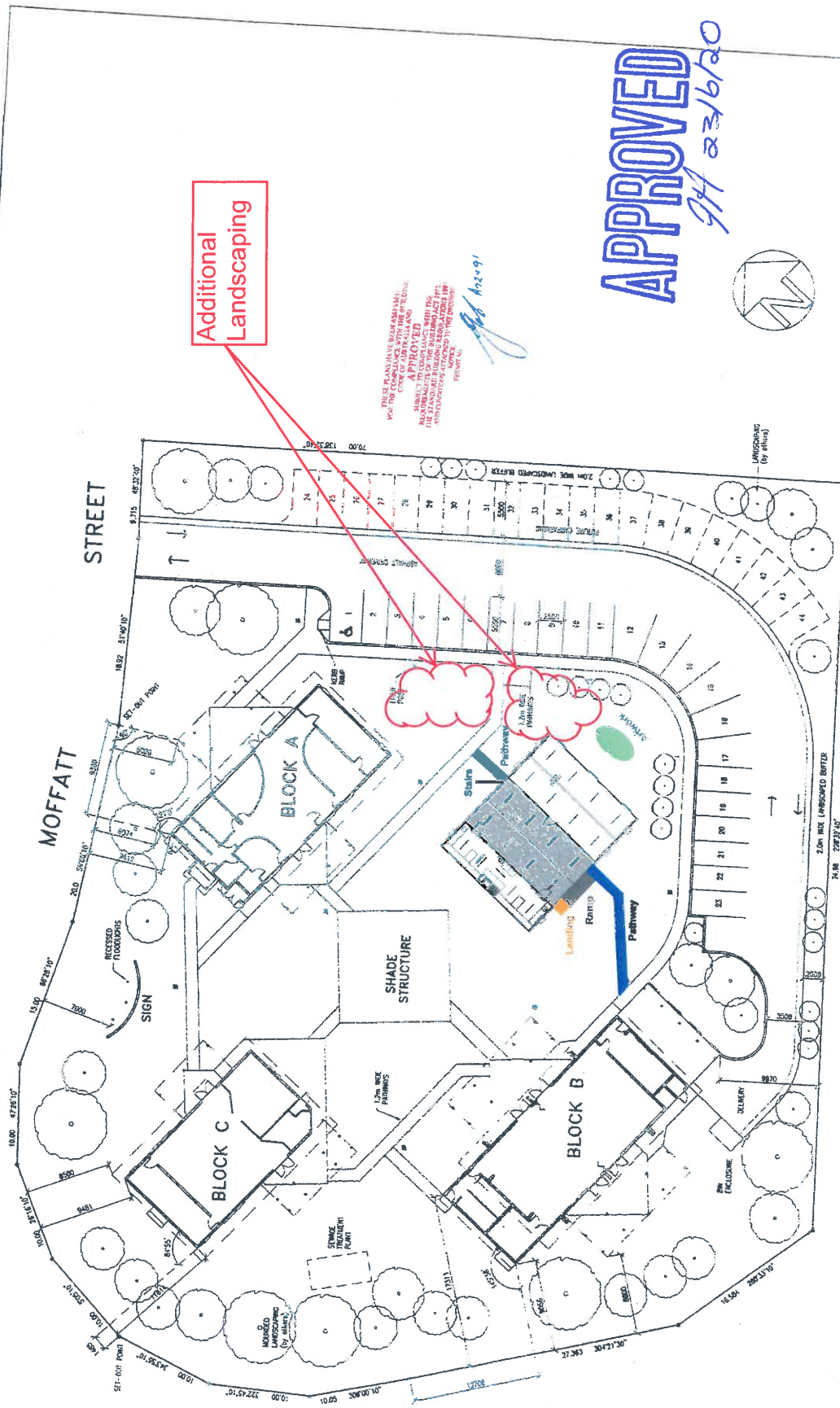
Incident notification

19. Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:
- release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 250L to land;
 - release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water;
 - any environmental complaints received by the holder of this approval; and
 - non-compliance with conditions of this approval or any other environmental approval obtained in relation to the development.

Part 1b: Assessment Manager Advice Notes

20. The *Environmental Protection Act* 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction, and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.
21. This decision notice does not represent an approval to commence Building work.
22. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.

ATTACHMENT 2: APPROVED PLANS AND SPECIFICATIONS



Additional Landscaping

THIS PLAN HAS BEEN PREPARED FOR THE COMPLIANCE WITH THE COMPACT WITH LANDS ACT 1991 AND THE COMPACT WITH LANDS ACT 1991. THE APPLICANT HAS AGREED TO COMPLY WITH THE STANDARDS AND CONDITIONS SET OUT IN THIS REPORT. THE APPLICANT HAS AGREED TO COMPLY WITH THE STANDARDS AND CONDITIONS SET OUT IN THIS REPORT.

Handwritten signature and date: 23/6/20

APPROVED

Handwritten date: 23/6/20



LOT DESCRIPTION:
LEASE 1114/110
PARISH OF BARKOLIN
COUNTY OF COOK
SITE AREA: 6544m²

EXTERNAL LIGHTING
EXTERNAL LIGHT POLES TO BE PROVIDED BY THE APPLICANT TO BE LOCATED AT THE CORNERS OF THE SITE.
TOP FINISHES - 65m

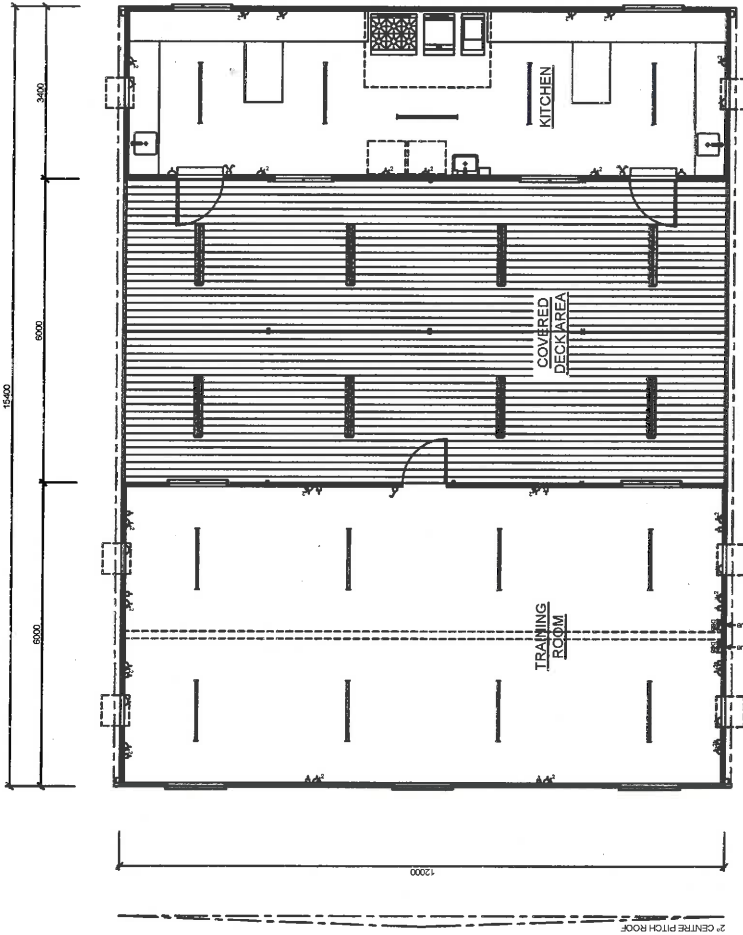
**As Amended
23.6.2020**

<p>leddy argiacomi & associates pty. ltd. ENGINEERING & ENVIRONMENTAL CONSULTANTS PROJECT MANAGERS & PLANNERS 24 BARKOLIN STREET BARKOLIN QLD 4115 Phone: (07) 4100 8811</p>		<p>drawn checked designed checked</p>	<p>DATE 8/11/20 11-21 11-20 12-21</p>	<p>Sheet 2 of 16 Job No. 00-117 Drawing No. 14207</p>
<p>BUNDBERG PORT AUTHORITY TAFE MARINE COLLEGE MOFFATT STREET, PORT BUNDBERG SITE SET-OUT PLAN</p>		<p>Scale: 1:1000 (AS SHOWN)</p>		

PRELIMINARY DRAWING

Notes:

- Building Locations Are Indicative Only
- *Actual Building Floor Plans May Differ From Layouts Shown On This Proposed Site Layout.



Proposed Site Layout

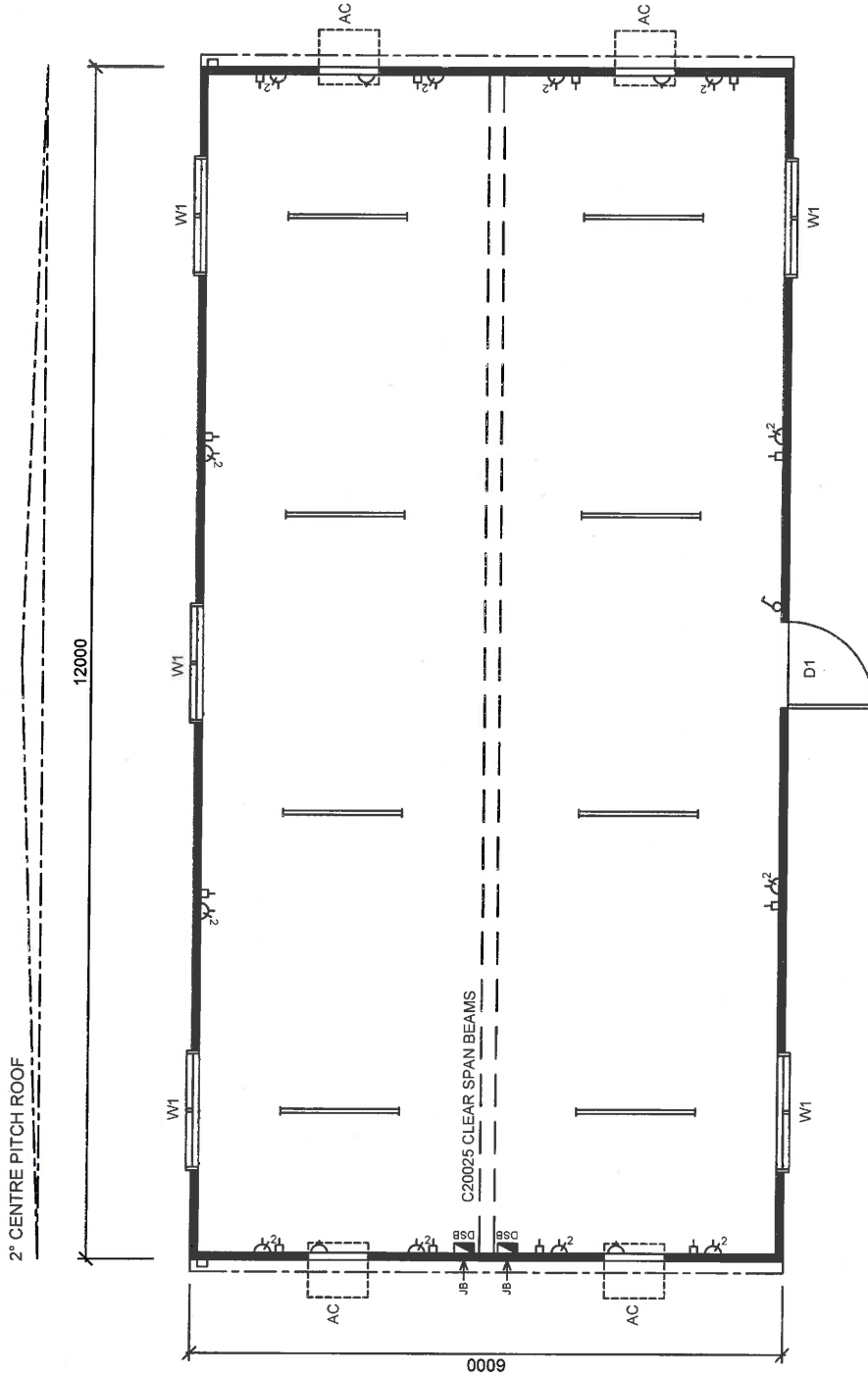
Scale 1:100

APPROVED
QA 23/6/20

Signature: _____				Date: _____			
CLIENT APPROVAL							
Rev.	Description	Date	BY				
A	Issued for Client Review	25/11/19	BW				
<small>THIS DRAWING AND DESIGN IS THE SOLE PROPERTY OF JABEGIL PTY LTD (JA MULTITRADE BUILDING HIRE A.B.N. 36 010 138 600). IT MAY NOT BE REPRODUCED, COPIED WHOLE OR IN PART WITHOUT WRITTEN AUTHORITY.</small>							
CLIENT		DATE		SCALE		CHECKED	
GIDARJIL		25/11/19		1:100		BW	
TITLE				DRAWN			
PROPOSED SITE LAYOUT				BW			
DESIGN WIND LOAD		REVISION		SHEET SIZE		DRAWING NUMBER	
C2 (W50C)		A		A3		SQF-3554-01	

Colour Schedule

External	Surfmist
Cladding	Zincalume
Roof	Surfmist
Capping	Surfmist
Gutter	Surfmist
Downpipe	White
Doors	White
Windows	White
Internal	Grey
Vinyl	Grey
Walls	Grey
Ceiling	White
Beams	Grey



12.0x6.0m Training Room - Floor Plan

Scale 1:50

Item List

Item	Qty	Description
D1	x(1)	2040x920mm External Metal Clad Door With Lockset.
W1	x(5)	900x1200mm Sliding Glass Window With Flyscreen.
AC	x(4)	Provision For Wall Mounted Air Conditioner Unit.

Notes

- Built To Multitrade Building Hire Specifications.
- 150x75mm PFC Beams / C10015 Floor Joists @ 600mm Ctrs.
- 19mm T&G F-11 Plywood Flooring.
- 2mm Commercial Vinyl Floor Covering.
- 2400mm Internal Ceiling Height.
- Horizontal 'Panelib' Profile External Colorbond Cladding.
- Zincalume 'Trimdek' Profile Roof Sheeting.
- Pre-finished Plywood Internal Wall & Ceiling Lining With PVC Joiners, Cornice, Skirting & Corner Moulds.
- Wall & Ceiling Insulation.
- Gutters & Downpipes (*Packed For Site Installation).

Electrical Legend

Icon	Qty	Description
	x(2)	Internal Distribution Switchboard
	x(2)	Junction Box - Electrical Point Of Entry
	x(2)	Light Switch (Double Pole)
	x(4)	10amp Single GPO (Double Pole)
	x(12)	10amp Double GPO (Double Pole)
	x(12)	Draw Wire With Blank Plate
	x(8)	1200mm LED Batten Light Fitting. (*Diffuser To Be Zip Tied)

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CLIENT APPROVAL			
Rev.	Description	Date	By
A	Issued for Client Review	17/01/20	BW



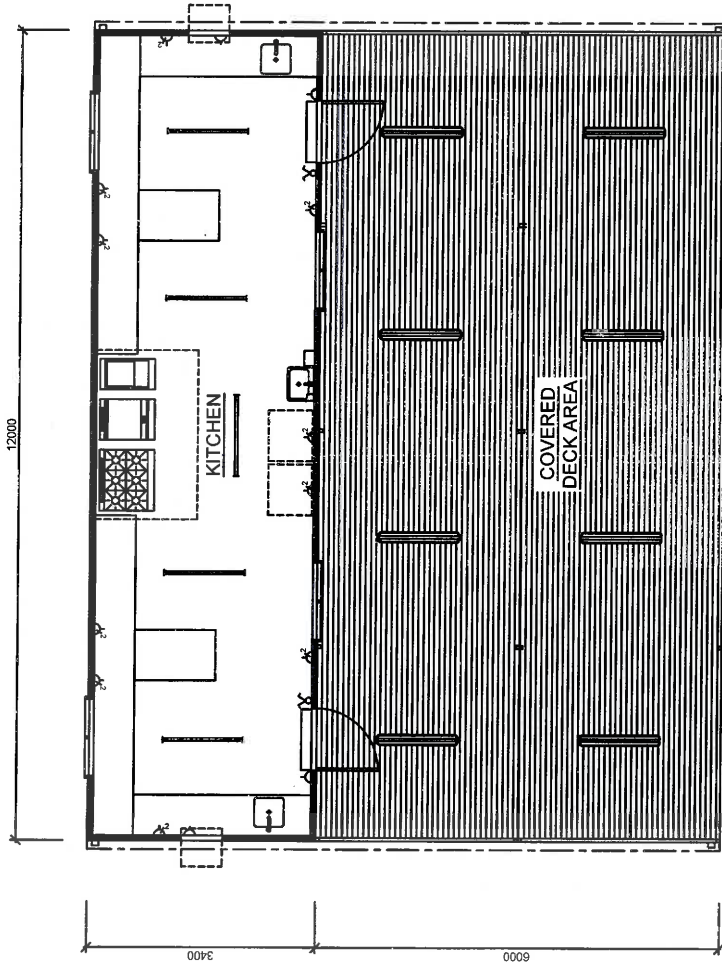
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CLIENT	GIDARJIL	DATE	17/01/20
TITLE	12.0x6.0m TRAINING ROOM	SCALE	1:50
DESIGN WIND LOAD	C2 (W50C)	DRAWN	BW
DRAWING NUMBER	SQF-3554-02	REVISION	A
		CHECKED	
		SHEET SIZE	A3

Colour Schedule

- External
 - Cladding - Surfmist
 - Roof - Zincalume
 - Capping - Surfmist
 - Gutter - Surfmist
 - Downpipe - Surfmist
 - Doors - White
 - Windows - White
- Internal
 - Vinyl - Grey
 - Walls - Grey
 - Ceiling - White
 - Beams - Grey

2' CENTRE PITCH ROOF



12.0x3.4m Kitchen / (2)x 12.0x3.0m Covered Deck Modules - Floor Plan

Scale 1:75

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JA 23/6/20

Signature: _____ Date: _____

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Rev.	Description	Date	By
A	Issued for Client Review	17/01/20	BW



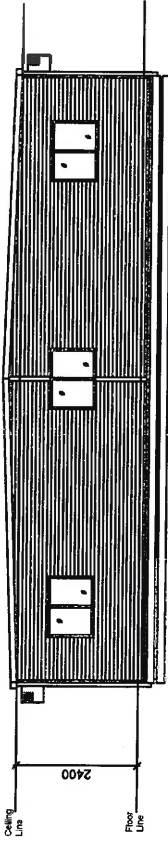
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CLIENT	GIDARJIL	DATE	17/01/20
TITLE	12.0x3.4m KITCHEN & (2)x 12.0x3.0m COVERED DECKS	SCALE	1:75
DESIGN WIND LOAD	C2 (W50C)	DRAWN	BW
DRAWING NUMBER	SQF-3554-03	CHECKED	
		REVISION	A
		SHEET SIZE	A3

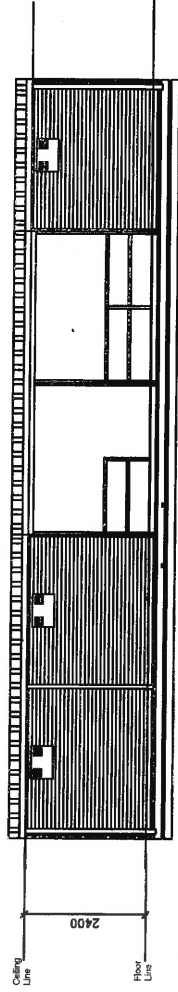
PRELIMINARY DRAWING

Colour Schedule

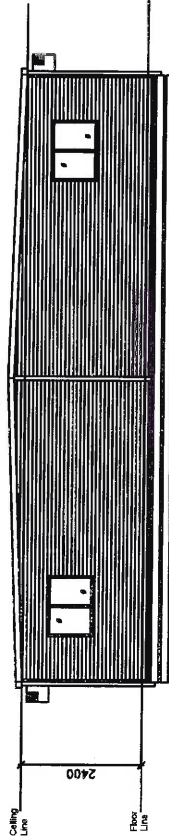
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- Roof - Zincallume
- Capping - Manor Red
- Gutter - Manor Red
- Downpipe - Deep Ocean
- Doors - Manor Red
- Windows - Ultra Silver



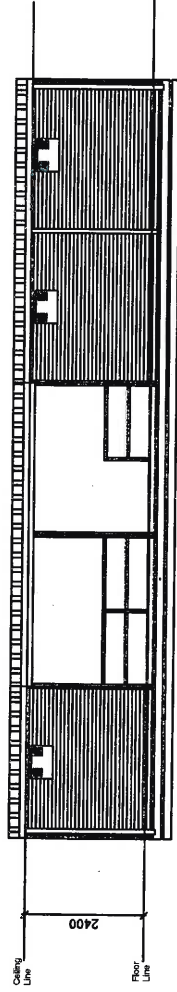
Elevation A
Scale 1:100



Elevation B
Scale 1:100



Elevation C
Scale 1:100



Elevation D
Scale 1:100

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CLIENT APPROVAL

Signature: _____

Date: _____

Rev.	Description	Date	By
A	Issued for Client Review	02/04/20	BW
B	External Building Colours Changed	04/06/20	BW

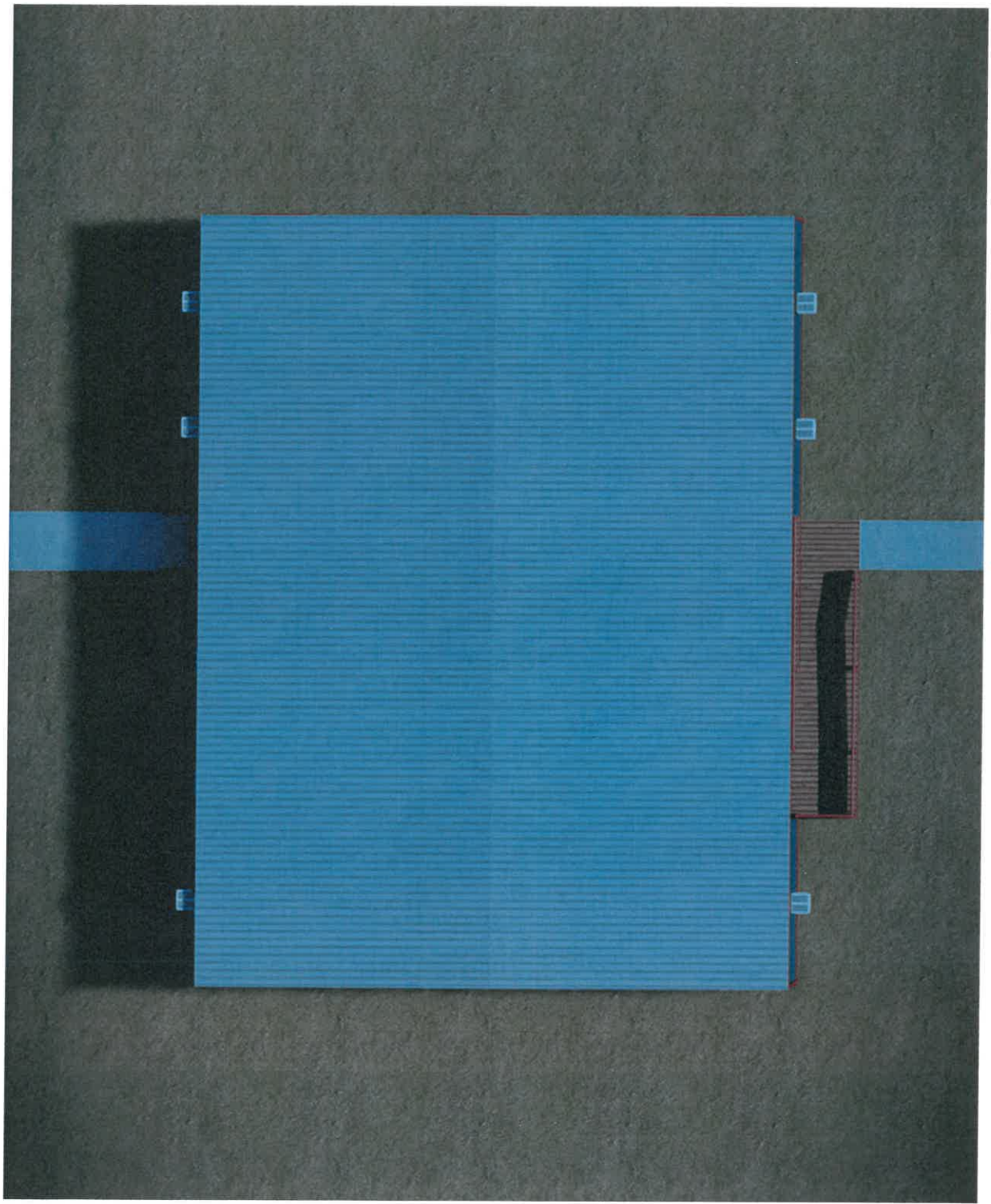


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CLIENT	DATE
GIDARJIL	04/06/20
TITLE	SCALE
ELEVATIONS	1:100
DESIGN WIND LOAD	CHECKED
C2 (W50C)	BW
DRAWING NUMBER	REVISION
SQF-3554-05	B
	SHEET SIZE
	A3

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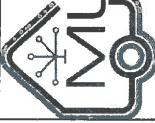
- *Building Locations Are Indicative Only.
- *Actual Building Floor Plans May Differ From Renders Shown in this Visual (indicative only).



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JH 23/6/20

CLIENT APPROVAL			
Signature:		Date:	
Rev.	Description	Date	By
A	Issued for Client Review	04/06/20	JS



MULTITRADE
BUILDING HIRE

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CLIENT	DATE	SCALE	CHECKED
Gidarjil	04/06/20	NTS	JS
TITLE		3D Rendered Visuals	REVISION
DESIGN WIND LOAD		3D Render	A
DRAWING NUMBER		3D Render	SHEET SIZE
			A3

Notes:

- *Building Locations Are Indicative Only.
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CLIENT APPROVAL			
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Rev.	Description	Date	By
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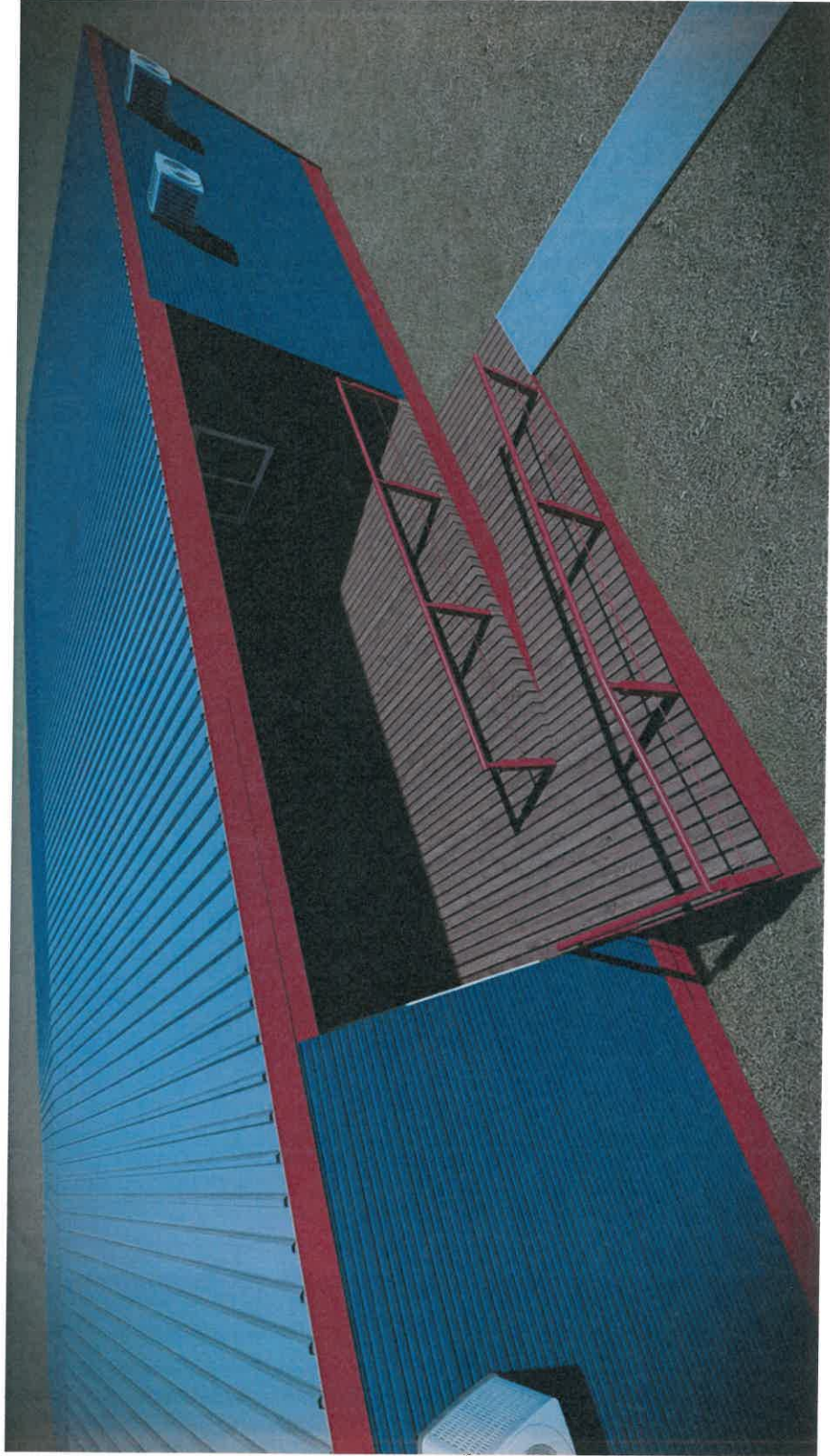


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CLIENT		DATE	
Gidarjil		04/06/20	
TITLE		SCALE	
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DESIGN WIND LOAD		DRAWN	CHECKED
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DRAWING NUMBER		REVISION	
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		A3	

Notes:

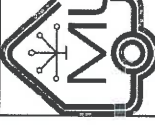
- Building Locations Are Indicative Only.
- *Actual Building Floor Plans May Differ From Renders Shown In this Visual (indicative only).



APPROVED

At 23/6/20

CLIENT APPROVAL			
Signature:		Date:	
Rev.	Description	Date	By
A	Issued for Client Review	04/06/20	JS



MULTITRADE BUILDING HIRE

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CLIENT		DATE	
Gidarjil		04/06/20	
TITLE		SCALE	
3D Rendered Visuals		NTS	
DESIGN WIND LOAD	DRAWN	CHECKED	
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DRAWING NUMBER	REVISION	SHEET SIZE	
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Notes:

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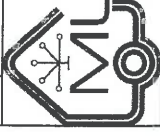


APPROVED
 GA 23/6/20

Signature: _____ Date: _____

CLIENT APPROVAL

Rev.	Description	Date	By
A	Issued for Client Review	04/06/20	JS



MULTITRADE BUILDING HIRE

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CLIENT	Gidarjil	DATE	04/06/20
TITLE	3D Rendered Visuals	SCALE	NTS
DESIGN WIND LOAD		DRAWN	JS
DRAWING NUMBER	3D Render	CHECKED	
REVISION	A	REVISION	A
SHEET SIZE	A3	SHEET SIZE	A3

Notes:

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APPROVED
GA 23/6/20

CLIENT APPROVAL			
Rev.	Description	Date	By
A	Issued for Client Review	04/06/20	JS

MULTITRADE BUILDING HIRE

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CLIENT		DATE
Gidarjil		04/06/20
TITLE		SCALE
3D Rendered Visuals		NTS
DESIGN WIND LOAD	DRAWN	CHECKED
	JS	
DRAWING NUMBER	REVISION	SHEET SIZE
3D Render	A	A3

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APPROVED

JA 23/6/20

CLIENT APPROVAL			
Signature:		Date:	
Rev.	Description	Date	By
A	Issued for Client Review	04/06/20	JS



MULTITRADE BUILDING HIRE

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CLIENT	Gidarjil	DATE	04/06/20
TITLE	3D Rendered Visuals		
DESIGN WIND LOAD	DRAWN	CHECKED	SCALE
	JS		NTS
DRAWING NUMBER	REVISION	SHEET SIZE	
3D Render	A	A3	

DO NOT SCALE - IF IN DOUBT ASK



APPROVED
JA 23/6/20

Plan

- NOTES:**
1. The designs used on these plans are based on the available information. If different conditions are encountered during construction, the engineer must be notified before proceeding further.
 2. Site classification is to be confirmed by inspection of footing excavations.
 3. Concrete to be N20/20/80 for footings, N25/20/100 for slabs on ground.
 4. Minimum cover to ground - 50mm.
 5. Top cover to slab reinforcement - 30mm.
 6. Grade finished ground surfaces to divert water away from building.
 7. Ferrous treatment is not addressed in these drawings/specifications.
 8. All concrete is to be mechanically vibrated during placing.



All dimensions in millimetres U.N.O.
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Drawn	Ion Fawkes
Date	13/05/2020
Scale	1:100 (A3)
Checked	SAS
Approved	<i>JA</i>

Multitrade
 Proposed Building
 Port of Bundaberg
 Burnett Heads

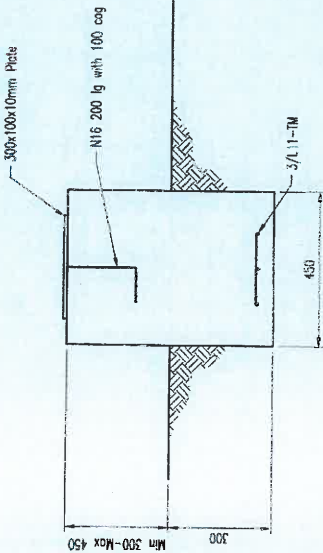
Revision	A
Drawing Number	BL2650D01
Arrangement	

17 Flinders Pde
 Gladstone Q. 4680
 Email: office@engqld.com.au

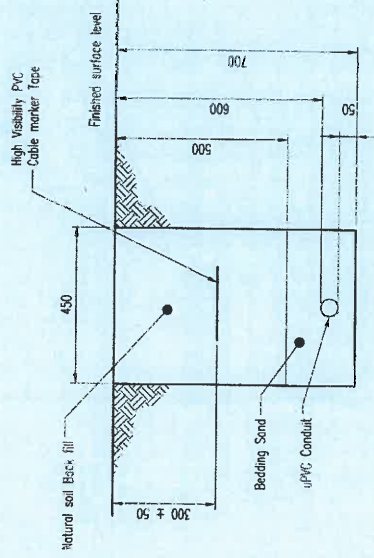
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No.	Date	Issued For Approval	Revision Description	Units
A	13/05/2020			

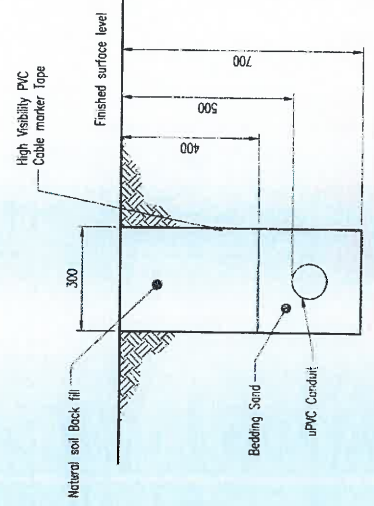
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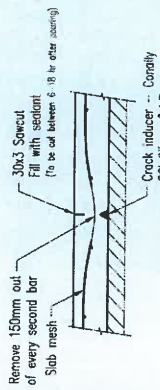
Strip Footing Detail



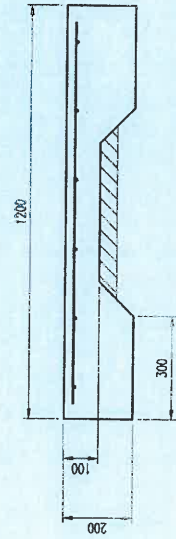
Typical Electrical Trench Detail



Typical Plumbing drainage Trench Detail

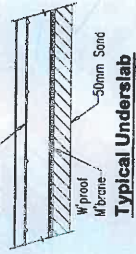


Sawcut Detail



Typical section Pathway

Note: Saw cuts at 3000 crs min



Typical Underslab

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Rev	Date	Description	Units
A	13/05/2020	Issued For Approval	LF

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Client	Drawn	Issue
AS dimensions in millimetres UN O	13/05/2020	13/05/2020
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	Scale	1:15 (A3)
	Checked	SAS
	Approved	SA 23/6/20

Revision	Number	Revision
Details	BL2650D02	A

ATTACHMENT 3: EXTRACT OF APPEAL PROVISIONS

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

-
- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul style="list-style-type: none">(a) the refusal of all or part of the development application; or(b) the deemed refusal of the development application; or(c) a provision of the development approval; or(d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<ol style="list-style-type: none"> 1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
<p>2. Change applications</p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

Schedule 1

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect ‘use category’, under a regulation, to the development <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p>5. Conversion applications An appeal may be made against—</p> <p>(a) the refusal of a conversion application; or</p> <p>(b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p>6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 2 Appeals to the P&E Court only			
<p>1. Appeals from tribunal</p> <p>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—</p> <p>(a) an error or mistake in law on the part of the tribunal; or</p> <p>(b) jurisdictional error.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
<p>2. Eligible submitter appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency's referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>

Table 2 Appeals to the P&E Court only			
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
<p>5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
<p>6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

Schedule 1

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

Table 3 Appeals to a tribunal only			
<p>1. Building advisory agency appeals</p> <p>An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<p>1 A concurrence agency for the development application related to the approval</p> <p>2 A private certifier for the development application related to the approval</p>

Table 3 Appeals to a tribunal only			
<p>2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Local government failure to decide application under the Building Act An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.</p>			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—
<p>5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a failure by the Queensland Building and Construction Commission to make a decision, within the period required under that Act, if an information notice about the decision was required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—