

GPC Document No.1849412: EC: TS GPC Ref.: DA2022/17/01

18 January 2023

Gladstone Ports Corporation Limited Jason Pascoe 45 Wharf Drive BURNETT HEADS QLD 4680

Dear Pascoe,

DECISION NOTICE - APPROVAL WITH CONDITIONS - DA2022/17/01

(GIVEN UNDER SECTION 63 PLANNING ACT 2016 AND THE PROVISIONS OF PORT OF BUNDABERG LAND USE PLAN 2020)

1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **19 September 2022**.

Application Number:	DA2022/17/01
Applicant Name:	Gladstone Ports Corporation Limited
Applicant Contact Details:	Jason Pascoe 45 Wharf Drive BUNDBERG QLD 4680 Email pascoej@gpcl.com.au
Approvals Sought (Land Use Plan):	Operational work involving engineering work or landscaping work not associated with a material change of use where not considered minor works.
Details of Proposed Development:	Operational works for engineering work relating to the establishment of telecommunication, electrical and potable water infrastructure.
Location Street Address:	45 Wharf Drive, Burnett Heads
Location Real Property Description:	Lot 501 SP279707 & Lot 3 SP133687
Land Owner:	Gladstone Ports Corporation Limited
Land Use Plan Precinct:	Port Industry



2. Details of Proposed Development

Operational work involving engineering work or landscaping work not associated with a material change of use, where not considered minor works –

• Installation of telecommunication and electrical infrastructure and reticulated water as part of the future expansion of the Bundaberg wharf.

3. Details of Decision

This development application was decided on 18 January 2023.

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.

4. Details of Approval

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

(a) Operational work involving engineering work or landscaping work not associated with a material change of use, where not considered minor works under *Planning Regulation* 2017 – Schedule 10, part 13, division 5, subdivision 2, table 1 – development on strategic port land.

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:

- (a) Operational Works for works within the road area (Bundaberg Regional Council);
- (b) Plumbing and Drainage works (connection into Bundaberg Regional Council's infrastructure); and
- (c) Tidal works where not excluded works if works are proposed within the Mean High Water springs (MHWS).

7. Approved Plans and Specifications

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

Drawing/report title	Prepared by	Date	Reference no.	Version
Title Sheet, Locality Plan and Standard Notes	Empire Engineering	25/08/2022	CC-6560 C01	В



Drawing/report title	Prepared by	Date	Reference no.	Version
Water Main Extension Plan Sheet 1 of 3	Empire Engineering	25/08/2022	CC-6560 C70	В
Water Main Extension Plan Sheet 2 of 3	Empire Engineering	25/08/2022	CC-6560 C71	В
Water Main Extension Plan Sheet 3 of 3	Empire Engineering	25/08/2022	CC-6560 C72	В
Standard Details Plan	Empire Engineering	25/08/2022	CC-6560 C90	В
Property Services Potable Service Connection Conduit Details	WBBEROC Water Service Providers	25/08/2015	WBB-WAT-1108-1	A
Property Services Potable Service connection typical Main to Meter	WBBEROC Water Service Providers	24/05/2015	WBB-WAT-1108-2	A
Property Services Potable Service connection 20mm Domestic Service Meter Box Details	WBBROC Water Service Providers	21/07/2015	WBB-WAT-1108-3	A
Embedment & Trenchfill Typical Arrangement	WBBROC Service Providers	20/08/2015	WBB-WAT-1200-2	А
Typical Thrust Block Details Mass Concrete	WBBROC Service Providers	01/01/2013	WBB-WAT-1205-1	A
Typical Valve and Hydrant Road and Pavement Markers	WBBROC Service Providers	31/03/2015	WBB-WAT-1300-1	A
Typical Valve and Hydrant Installation Valve Arrangement	WBBROC Water Service Providers	01/01/2013	WBB-WAT-1301-1	A
Typical Hydrant Installation	WBBROC Water Service Providers	01/01/2013	WBB-WAT-1302-1	А
Typical Air Valve Installation for Trunk Main	WBBROC Water Service Providers	01/01/2013	WBB-WAT-1304-1	А
Typical Surface Fitting Installation Valve ad Hydrant Surface Boxes Trafficable and Non-Trafficable	WBBROC Service Providers	01/01/2013	WBB-WAT-1305-1	A
Public Utilities Typical Service conduits Alignments	Bundaberg Regional Council	08/07/2010	R1050	-
Public Utilities – Conduit/Service Road – Crossing Details	Bundaberg Regional Council	08/07/2010	R1051	-
Sediment Control Devices Sediment Fence Entry/Exit Sediment Trap	Institute of Public Works Engineering Australia	08/12/1995	D-0040	А
Sediment control Devices Kerb and Field Inlets, Check Dams & Straw Bale Bank	Institute of Public Works Engineering Australia	08/12/1995	D-0041	A



12. Currency Period for the Approval

Pursuant to section 85 of the Planning Act, this development approval will lapse at the end of the periods set out below:

(a) For all other approvals excluding Reconfiguring a Lot, the approval lapses if the development does not substantially start within 2 years of this approval taking effect. 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 Trudi Smith, Planning Specialist, on 07 4976 1314 or the undersigned on 07 4976 1287 or via email planning@gpcl.com.au.

Yours sincerely,

Erin Clark
Principal Planner

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 – Operational work involving engineering work or landscaping work not associated with a material change of use, where not considered minor works.

CONDITIONS

GENERAL

- 1. Development must be carried out generally in accordance with the Approved plans, 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 development.
- 3. Where additional "approval" is required under these conditions by the Assessment Manager (GPC) for drawings or documentation the proponent must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager.
 - Furthermore, the Assessment Manager will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the works. Should further information be required for assessment, the Assessment Manager will require a further 5 business days to complete the information request assessment and response.
- 4. The proponent must at its cost and expense, keep and maintain the development footprint, including existing services, in a state that is satisfactory to the Assessment Manager.

ENGINEERING AND PLANNING

- 5. Upon completion of the works, the proponent must supply the Assessment Manager 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
- 6. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Assessment Manager

INFRASTRUCTURE

- 7. The applicant must notify the Assessment Manager (GPC) of damage caused to any port or port user infrastructure or services including, but not limited to, security related devices, buildings, fences, lighting etc., roads, walkways and underground services or infrastructure, as a result of the approved use or during construction. The proponent must undertake necessary repairs at their expense and to the satisfaction of the Assessment Manager (GPC).
- 8. The applicant must notify the Assessment Manager (GPC) of damage caused to any port



infrastructure or services e.g. roads, water mains etc. as a result of this activity. The applicant may undertake the repairs directly in consultation with the Assessment Manager and Bundaberg Regional Council, however, depending upon the nature and location of the damage, the Assessment Manager retains the right to undertake the repairs at the expense of the proponent.

TRAFFIC

- 9. Any works occurring on or adjacent to publicly accessible roadways shall be undertaken in compliance with the Austroad's Guide to Temporary Traffic Management (AGTTGM) and where applicable, the amendments referenced in the Queensland Guide to Temporary Traffic Management (QGTTM). These documents can be access via Austroads, and the Department of Transport & Main Roads Qld from the link below.
 - $\underline{\text{https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Queensland-} \underline{\text{Guide-to-Temporary-Traffic-Management}}$
- 10. The works shall be planned and scheduled such that no access restrictions or impacts occur to existing Port Operations, unless agreed by the Port of Bundaberg Manager.

WASTE MANAGEMENT

11. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the storage site, on port roads or on the wharf must be cleaned immediately. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such materials to any stormwater drainage system, roadside gutters or waters.

CONSTRUCTION MANAGEMENT

- 12. The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) is to be restricted to between 6.30am and 6:30pm Monday to Friday and 6.30am to 12.30pm Saturday. No works shall be undertaken on Sunday or on public holidays. Any variations to these times will be subject to the written approval of the Assessment Manager.
- 13. Unless otherwise agreed to in writing by the Assessment Manager, prior to construction works commencing on site, a final Construction Traffic Management Plan (CTMP) specific to the construction works being undertaken must be submitted to the Assessment Manager for approval. The CTMP must be amended and approved by the Assessment Manager as necessary for any proposed or amended construction works. All activities associated with construction must be carried out in accordance with the approved CTMP.
- 14. Prior to works commencing, the proponent must submit for review and approval by the Assessment Manager, details of proposed mitigation measure/s to reduce skyglow from all external lighting associated with the development.
- 15. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels nor illuminate a landward glare beyond the site boundary. Lighting must be reviewed during construction and use of the development with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Assessment Manager
- 16. Upon completion of the construction works, the proponent must reinstate the property to the same condition prior to the works being undertaken unless agreed to in writing by the Assessment Manager.
- 17. The proponent is required to apply for and obtain from GPC a Permit to Dig/Excavate prior to commencing works by contacting, GPC's Port Infrastructure Asset Manager, including for any



landscaping, services or infrastructure outside of the lease area.

- 18. No mud, dirt or other debris is to be tracked onto public roads during construction and operation of development.
- 19. Construction fill material must be uncontaminated and reused from onsite or sourced from a licensed quarry
- 20. Unless otherwise approved in writing by the Queensland Government Department of Environment and Science (DES), or subsequent equivalent State agency administering the relevant legislation, where any groundwater intercepted during construction activities is deemed to be a regulated waste contaminated with PFAS, it must be managed and disposed of in accordance with the Environmental Protection Act 1994 (Qld) and its regulations and policies, unless the proponent has undertaken sampling and testing of the groundwater that has determined per-and polyfluoroaklyl substances (PFAS) levels are below the regulated waste threshold in the Environmental Protection Regulation 2019 (Qld).

Any written approval received from the Department of Environment and Science (DES), or subsequent equivalent State agency, must be submitted to the Assessment manager and be approved by the Assessment Manager in writing.

ACID SULPHATE SOILS

21. In the event acid sulphate soils are disturbed/excavated and require treatment on site or any land owned by GPC, a site specific Acid Sulphate Management Plan, including treatment locality and volumes and disposal locality, must be submitted to the Assessment Manager for approval prior to such works commencing.

Upon approval of the management plan, the works must be carried out in accordance with this plan and the plan will form part of the Approved plans.

ENVIRONMENT

Construction Environmental Management Plans

22. Prior to construction works commencing on site, a Construction Environmental Management Plan (CEMP) specific to these works, is to be submitted to the Assessment Manager for approval.

The construction must be undertaken in accordance with the approved CEMP that ensures:

- a) environmental risks, including but not limited to, groundwater, contaminated soil and water management (specifically PFAS and EMR requirements), noise, odour, lighting, including turtle sensitive lighting, dust, are identified, managed and continually assessed in relation to the construction activity;
- b) that 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;
- c) that reviews of environmental performance are undertaken at least annually; and
- d) any amendments to the CEMP are to be submitted to the Assessment Manager for review and approval.

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

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



INCIDENT NOTIFICATION

- 23. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any:
 - a) release / spill of contaminants (e.g. fuels / chemicals / sewerage) greater than 20L to land;
 - b) release / spill of contaminants (e.g. fuels / chemicals / sewerage) of any amount to water:
 - c) any environmental complaints received by the holder of this approval; and
 - d) non-compliance with environment related conditions of this approval, or any other environmental approval obtained in relation to the approved activity.

Note: 'land' is to be defined as where not within a containment system.

 Environmental incident notification must be included in any Environmental Management Plans for the works.

ADVICE NOTES

- 1. 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.
- 2. Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.
- 3. Any works that extend beyond the lot boundary into the road area are subject to an Operational works approval from the Bundaberg Regional Council (as applicable).
- 4. This approval does not give consent to any tidal works or works below the MHWS.
- 5. Where the Applicant is required to submit further documentation to the Assessment Manager, this is to be directed to the Planning section at planning@gpcl.com.au, including reference to the allocated development application number.
- 6. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: pfso@gpcl.com.au, contracted_security@gpcl.com.au and gpcsupervisor@diamondprotection.com.



Attachment 2 Approved Plans and Specifications



PROPOSED WATER MAIN EXTENSION AND TELCO SERVICES LAYOUT No. 45 WHARF DRIVE, BURNETT HEADS For GLADSTONE PORTS CORPORATION LIMITED **CIVIL ENGINEERING PLANS**

DRAWING INDEX

TITLE SHEET, LOCALITY PLAN AND STANDARD NOTES C70-C72 WATER RETICULATION PLAN STANDARD DETAILS PLAN

GENERAL NOTES

THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE FOLLOWING ASSOCIATED CONSULTANTS DRAWINGS/DOCUMENTATION

. INSITE SJC - SURVEY INFORMATION (REFERENCE GC21146).

NOTIFICATION AND INSPECTION PROTOCOLS

EMPIRE ENGINEERING IS RESPONSIBLE FOR LIAISING WITH THE COUNCIL DELEGATE AT THE CRITICAL CONSTRUCTION INSPECTIONS AND THE CONTRACTOR SHALL GIVE SUFFICIENT NOTICE. AS FOLLOWS:

- KEY CONSTRUCTION ACTIVITY INSPECTIONS (REFER BELOW) MINIMUM 48 HOURS.
- ON MAINTENANCE INSPECTION (WHERE SPEC'D BY COUNCIL AT THE PRE-START MEETING) MINIMUM 5
- OFF MAINTENANCE INSPECTION (WHERE SPEC'D BY COUNCIL AT THE PRE-START MEETING) MINIMUM 5
- EMPIRE ENGINEERING IS LIKELY TO CONDUCT RANDOM SITE VISITS AT THEIR DISCRETION AS NECESSARY. -

KEY CONSTRUCTION ACTIVITIES TO BE INSPECTED INCLUDE (BUT ARE NOT LIMITED TO) THE FOLLOWING

- BULK EARTHWORKS INSPECTION: STRIPPED TOPSOIL VISUAL AND PROOFROLL, SEDIMENT AND EROSION CONTROL MEASURES ARE USED AND MAINTAINED. CONTRACTOR TO SUBMIT CBR AND DENSITY TEST RESULTS COMPLIANT WITH AS3798
- SUB-GRADE BOX INSPECTION: VISUAL AND PRODEROLL, CONTRACTOR TO SUBMIT OR AND DENSITY TEST RESULTS.
- PRE-SEAL INSPECTION: MEASUREMENT, STRINGLINE, VISUAL AND PROOFROLL. CONTRACTOR TO SUBMIT CBR AND DENSITY TEST RESULTS.
- CONCRETE PAVEMENT INSPECTIONS: STEEL INSPECTION, MEASUREMENT.
- STORMWATER OUTLET: COMPLIANCE WITH THE DRAWINGS, PRIOR TO COMMENCING PIPE LAYING UPSTREAM.
- UNDERGROUND CULVERT/CONDUIT AND PIPES CHECK BEDDING AND ALIGNMENT PRIOR TO BACKFILL AND

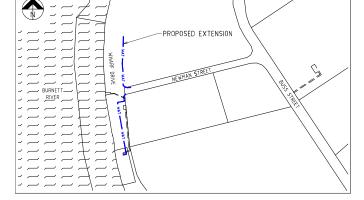
THE CONTRACTOR SHALL GIVE SUFFICIENT NOTICE TO EMPIRE ENGINEERING PRIOR TO COMMENCEMENT AND UPON COMPLETION OF EACH STAGE OF THE RELEVANT WORKS.

CONSTRUCTION NOTES

- CONSTRUCTION START DATE T.B.A.
- CONSTRUCTION COMPLETION DATE T.B.A.
- HOURS OF OPERATION 6:30am TO 6:30pm MONDAY TO SATURDAY.
- 4 DUST CONTROL MEASURES:-
- 4.1. AREAS OF CLEARING/ EARTHWORKS TO BE LIMITED TO THAT SHOWN ON OPERATIONAL WORKS PLANS.
- PHYSICAL BARRIERS TO BE RETAINED. ie EXISTING VEGETATION/BUFFER ZONES.
- SITE TRAFFIC CONTROL. CONSTRUCTION VEHICLE SPEED LIMITS ON UNSEALED TRACKS TO BE REDUCED TO 10km/h OR FURTHER IF REQ.
- EARTH MOVING EQUIPMENT MANAGEMENT. CONSTRUCTION EQUIPMENT TO BE POSITIONED STRATEGICALLY THROUGHOUT THE SITE TO MINIMIZE DUST POLLUTION IMPACT ON NEIGHBOURING PROPERTIES. WIND DIRECTION AND VELOCITY TO BE MONITORED PERIODICALLY.
- WATER TRUCK TO CYCLE WITHIN DISTURBED AREAS OF THE SITE ON A REGULAR BASIS. WEATHER CONDITIONS TO BE MONITORED AND CYCLES TO BE INCREASED IF REQUIRED.
- VEGETATION TO BE STABILIZED AS SOON AS PRACTICABLE AT THE COMPLETION OF BULK EARTHWORKS. DISTURBED AREAS TO BE SEEDED, EROSION AND SEDIMENT CONTROL MEASURES TO BE CONSTRUCTED.
- 5. SITE FOREMAN DETAILS T.B.A.



FOR APPROVAL



LOCALITY PLAN NOT TO SCALE

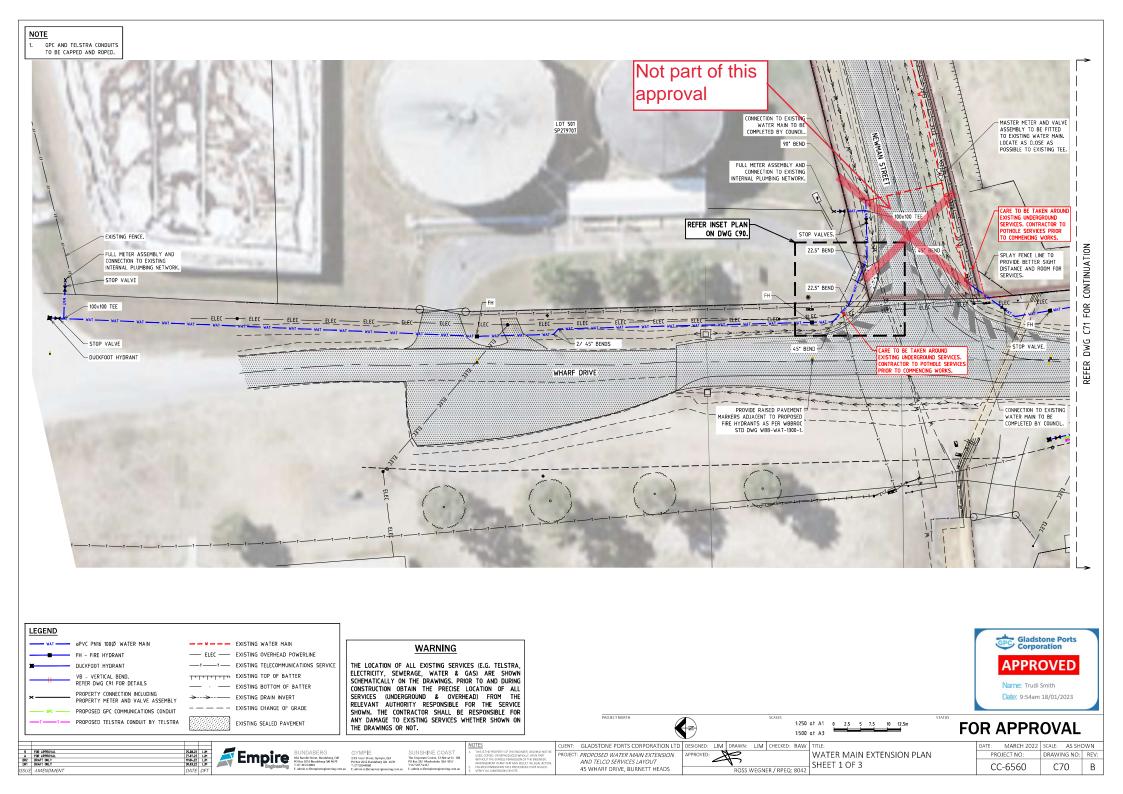


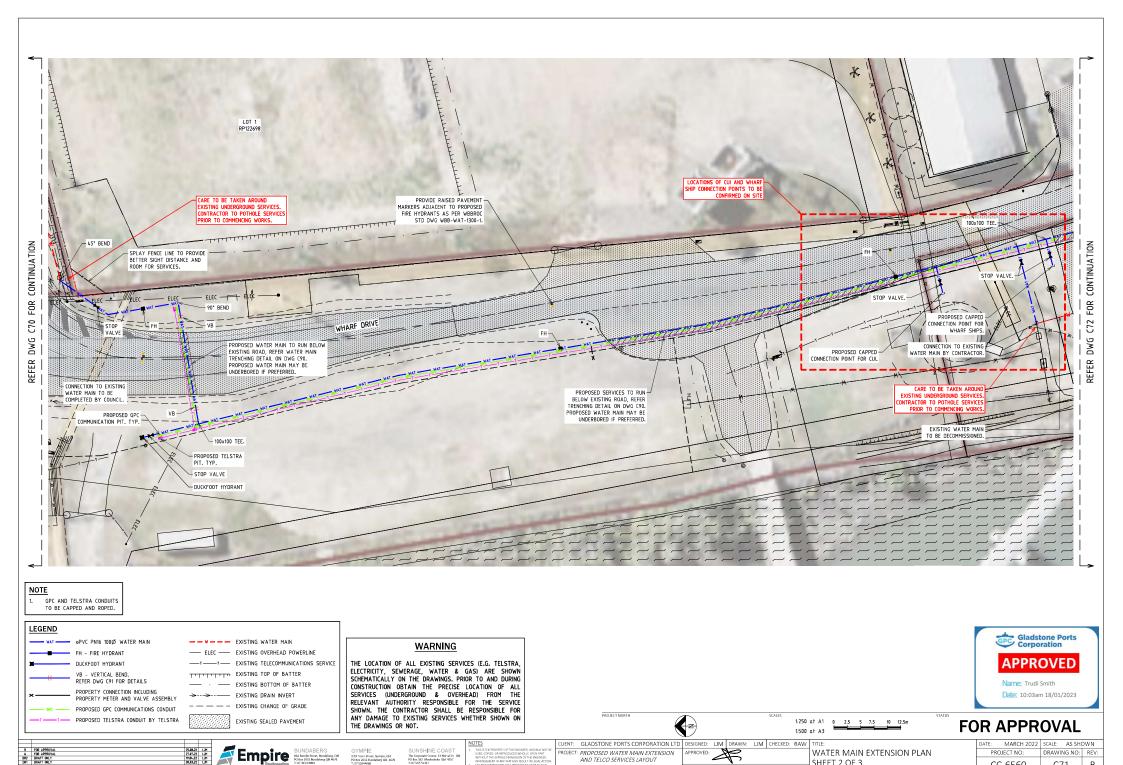
SUNSHINE COAST

CLIENT: GLADSTONE PORTS CORPORATION LTD DESIGNED: LJM DRAWN: LJM CHECKED: RAW TITLE PROJECT: PROPOSED WATER MAIN EXTENSION AND TELCO SERVICES LAYOUT 45 WHARE DRIVE BURNETT HEADS

TITLE SHEET, LOCALITY PLAN AND STANDARD NOTES

MARCH 2022 SCALE: AS SHOWN PROJECT NO: DRAWING NO: REV: CC-6560 C01





45 WHARF DRIVE, BURNETT HEADS

WATER MAIN EXTENSION PLAN

SHEET 2 OF 3

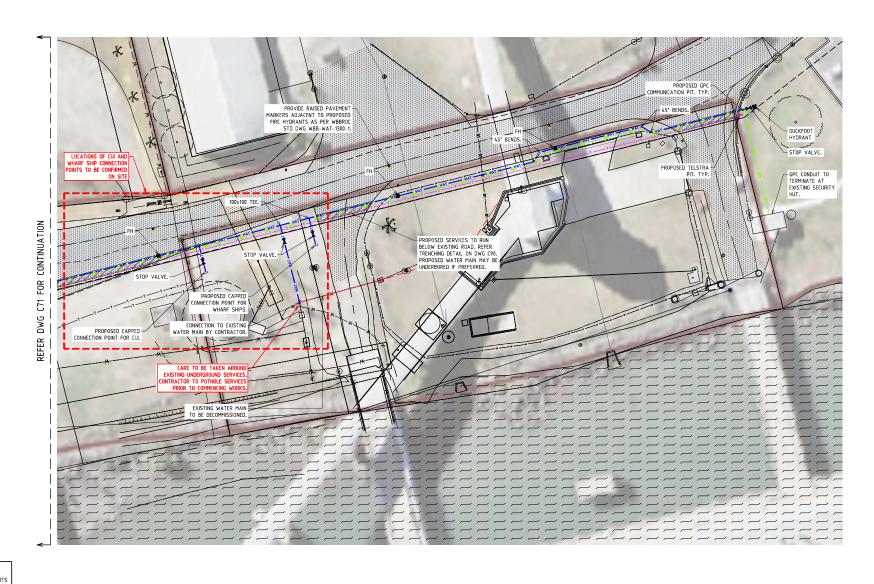
PROJECT NO:

CC-6560

DRAWING NO: REV:

C71

Empire BUNDABER 664 Basele Street, Bu 107 Bez 1057 Buzzlate 1:07 4151 4494



NOTE

GPC AND TELSTRA CONDUITS TO BE CAPPED AND ROPED.



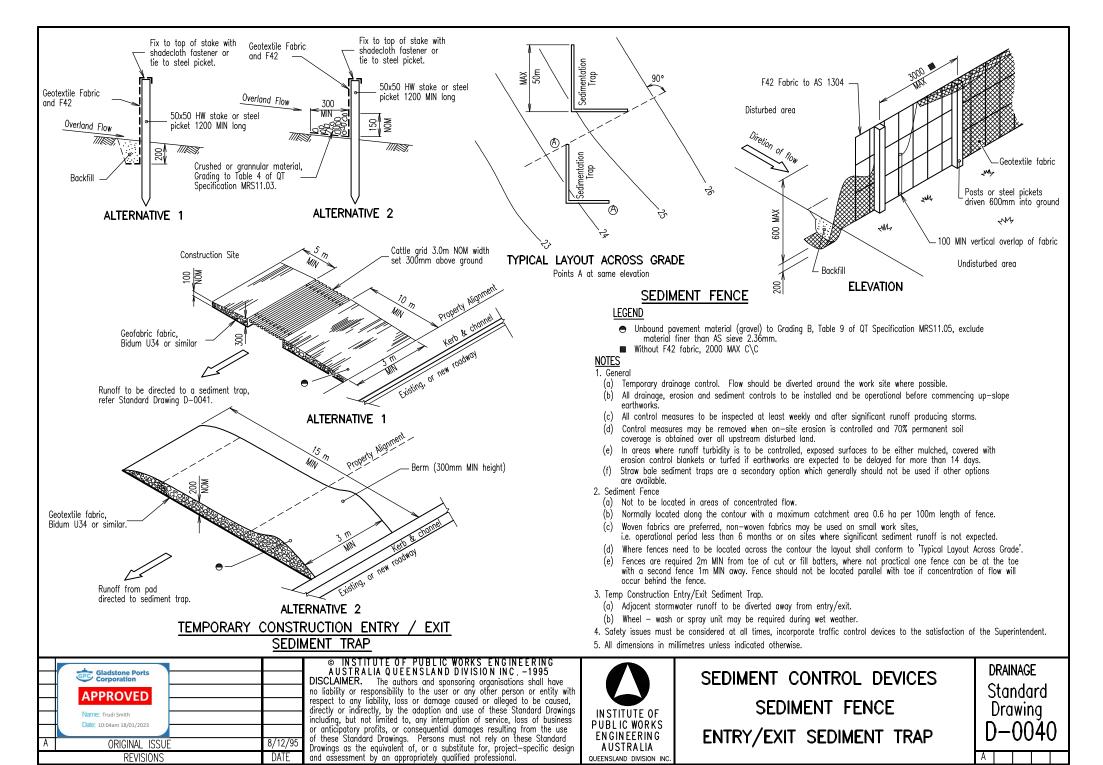
WARNING

THE LOCATION OF ALL EXISTING SERVICES (E.G. TELSTRA, ELECTRICITY, SEWERAGE, WATER & GAS) ARE SHOWN SCHEMATICALLY ON THE DRAWINGS, PRIOR TO AND DURING CONSTRUCTION OBTAIN THE PRECISE LOCATION OF ALL SERVICES (UNDERGROUND & OVERHEAD) FROM THE RELEVANT AUTHORITY RESPONSIBLE FOR THE SERVICE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING SERVICES WHETHER SHOWN ON THE DRAWINGS OR NOT.

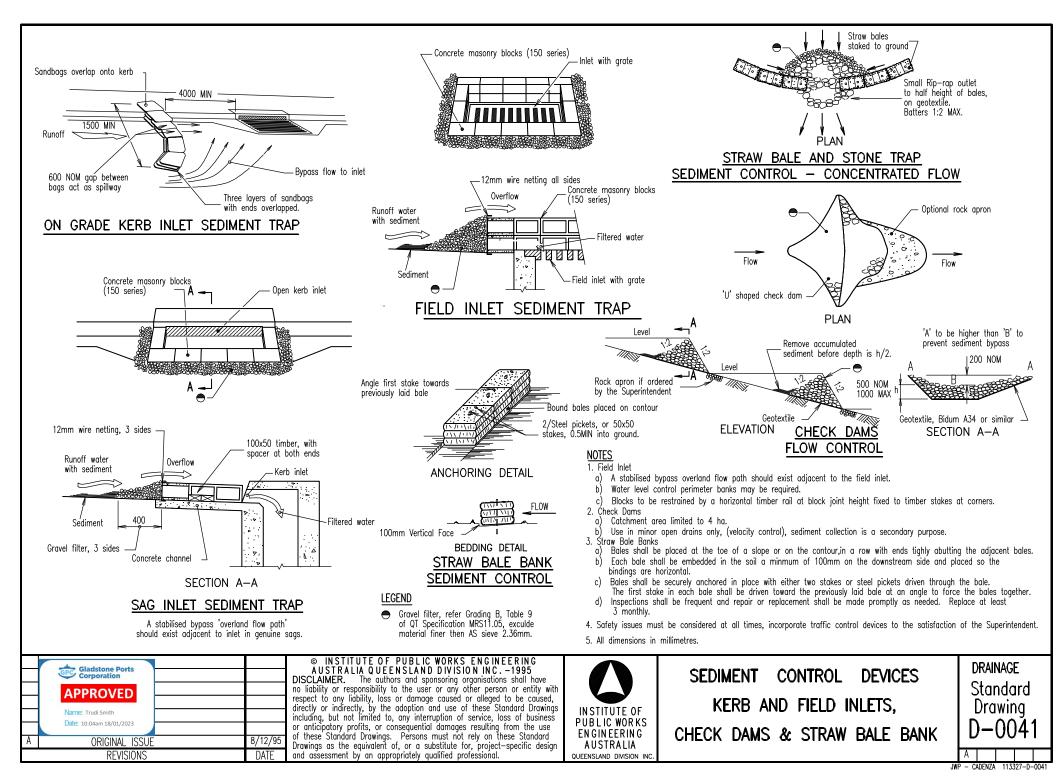


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Fig. 1980 A Sign of the State o



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Extract of Appeal Provisions Attachment 3

- (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
- (1) 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

1. Development applications

For a development application other than an excluded application, an appeal may be made against—

- (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	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent (if any)	Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application

2. Change applications

For a change application other than an excluded application, an appeal may be made against—

- (a) the responsible entity's decision on the change application; or
- (b) a deemed refusal of the change application.

Appeals to		able 1 d, 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)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application

3. Extension applications

For an extension application other than an extension application called in by the Minister, an appeal may be made against—

- (a) the assessment manager's decision on the extension application; or
- (b) a deemed refusal of the extension application.

	Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
	olumn 1 opellant	Column 2 Respondent	Column 3 Co-respondent	Column 4 Co-respondent
			(if any)	by election (if any)
1 2	The applicant For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager

4. Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

- (a) the notice involved an error relating to—
 - (i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge—

- the incorrect application of gross floor area for a non-residential development
- applying an incorrect 'use category', under a regulation, to the development
 - (ii) the working out of extra demand, for section 120; or
 - (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (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.

Appeals to t	Tab he P&E Court and,	ole 1 for certain matters	, to a tribunal
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	_	_
5. Conversion applica	ntions		
An appeal may be ma	ide against—		
(a) the refusal of a co	onversion application;	or	
(b) a deemed refusal	of a conversion applic	ation.	
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The applicant	The local government to which the conversion application was made	_	_
6. Enforcement notice	es		
An appeal may be ma	de against the decision	to give an enforceme	nt notice.
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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 1 Appeals to the P&E Court and, for certain matters, to a tribunal

7. Enforcement notices under the *Plumbing and Drainage Act 2018*

An appeal may be made against the decision to give an enforcement notice.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The person given the enforcement notice	The local government that gave the enforcement notice		

Table 2 Appeals to the P&E Court only

1. Appeals from tribunal

An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—

- (a) an error or mistake in law on the part of the tribunal; or
- (b) jurisdictional error.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	_	_

2. Eligible submitter appeals

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—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

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)	
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	 For a development application—the assessment manager For a change application—the responsible entity 	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application	

3. Eligible submitter and eligible advice agency appeals

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—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

Table 2 Appeals to the P&E Court only			
Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)	
 For a development application—the assessment manager For a change application—the responsible entity 	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application	
	Appeals to the Column 2 Respondent 1 For a development application—the assessment manager 2 For a change application—the responsible	Column 2 Respondent Co-respondent (if any) Co-respondent (if any) The applicant development application—the assessment manager For a change application—the responsible Column 3 Co-respondent 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	

4. Compensation claims

An appeal may be made against—

- (a) a decision under section 32 about a compensation claim; or
- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A person dissatisfied with the decision	The local government to which the claim was made	_	

Table 2 Appeals to the P&E Court only			
5. Registered premise	es		
An appeal may be ma	nde against a decisi	on of the Minister unde	er chapter 7, part 4.
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if any)
1 A person given a decision notice about the decision 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	The Minister		If an owner or occupier starts the appeal—the owner of the registered premises

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

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

Table 3 Appeals to a tribunal only

1. Building advisory agency appeals

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.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval
			2 A private certifier for the development application related to the approval

Table 3 Appeals to a tribunal only

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.

		1	
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The applicant for the development approval	The person who made the decision	_	

- 3. Certain decisions under the Building Act and the *Plumbing and Drainage Act 2018* An appeal may be made against—
- (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
- (b) a decision under the *Plumbing and Drainage Act 2018*, 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.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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		

4. Failure to decide an application or other matter under the Building Act

An appeal may be made against a failure to make a decision under the Building Act within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.

Table 3 Appeals to a tribunal only					
Column 1 Column 2 Column 3 Column 4					
Appellant	Respondent	Co-respondent	Co-respondent		
		(if any)	by election (if		
			any)		
A person who was entitled to receive notice of the decision	The entity that failed to make the decision	_	_		

5. Failure to decide an application or other matter under the *Plumbing and Drainage Act* 2018

An appeal may be made against a failure to make a decision under the *Plumbing and Drainage Act 2018* within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	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		