

27 May 2022

Monsoon Aquatics Pty Ltd  
c/- Epic Environmental  
L17, 95 North Quay,  
Brisbane, Q, 4000

Email: [emaddison@epicenvironmental.com.au](mailto:emaddison@epicenvironmental.com.au);  
[daniel@monsoonaquatics.com.au](mailto:daniel@monsoonaquatics.com.au)

Dear Ms Maddison

**DECISION NOTICE – CHANGE APPLICATION FOR CHANGE – OTHER TO DEVELOPMENT  
APPROVAL – DA2020/02/02**

(GIVEN UNDER THE PROVISIONS OF S83 PLANNING ACT 2016)

This changed decision notice replaces the decision notice dated 31 August 2020. Changes shown in ***italicised bold font***.

### 1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **8 April 2021**.

Application Number:	<b>DA2020/02/02</b>
Applicant Name:	<b>Monsoon Aquatics Pty Ltd</b>
Applicant Contact Details:	<b>Daniel Kimberley Monsoon Aquatics Pty Ltd c/- Epic Environmental 17 Bocks Road BRANYAN QLD 4670 Email: <a href="mailto:daniel@monsoonaquatics.com.au">daniel@monsoonaquatics.com.au</a></b>
Approvals Sought:	<b>Material Change of Use for Aquaculture</b>
Details of Proposed Development:	<b>Aquaculture of coral and clams</b>
Location Street Address:	<b>145 Buss Street, Burnett Heads Qld 4680</b>
Location Real Property Description:	<b>Sublease 51067574 in Lease AA on SP225499 in Lot 501 on SP279707</b>
Land Owner:	<b>Gladstone Ports Corporation Limited</b>
Present Zoning & Precinct	<b>Strategic Port Land – Port Industry Precinct</b>

## 2. Details Of Proposed Development

Change application – Change other - to a Development Approval for Material change of use for Aquaculture (coral, clam, fish, shrimp and algae)

The change application is to facilitate the expansion of existing aquaculture facility including new 'greenhouse', coral tanks, water tanks and laboratory. A summary of the proposed expansion to the existing aquaculture facility is provided below:

- Additional species (coral, clam, fish, shrimp and algae)
- Additional aquaculture enclosures/ tanks
- Installation of two greenhouse structures

The proposed expansion to the existing aquaculture facility involves utilising existing GPC infrastructure, where possible, as well as undertake construction activities to erect new infrastructure to support the expansion.

## 3. Details Of Decision

This development application was **decided on 31 August 2020 and the change (other) decided on 25 May 2022.**

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 Change application for Change – Other to development approval for:

- a) Material Change of use for Aquaculture

## 5. Conditions

This development approval is subject to the conditions in Attachment 1 - Part 1 and Part 2.

## 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. ***Any Operational works, where not meeting criteria for 'Accepted, subject to requirements'***
2. Any Building Work approvals required;
3. Any Plumbing and Drainage Work approvals required.

## 7. Properly made submissions

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

## 8. Referral Agencies for the Application

The referral agencies for this application are:

For an application involving	Name of referral agency	Address
Material change of use for fisheries - aquaculture (Planning Regulation 10.6.1.3.1.1)	Queensland Treasury	Wide Bay Burnett State Assessment Referral Agency (SARA) PO Box 979 BUNDABERG QLD 4670 <a href="mailto:WBBSARA@dsgmip.qld.gov.au">WBBSARA@dsgmip.qld.gov.au</a>

## 9. Approved Plans and Specifications –

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

Drawing/report title	Prepared by	Date	Reference no.	Version
<b>Aspect of development: Material Change of use for Aquaculture</b>				
<b>Site Plan</b>	<b>Epic Environmental</b>	<b>As Amended 25.2022</b>	<b>BE210132.01 Figure 3</b>	<b>0</b>
<b>Electrical supply</b>	<b>Epic Environmental</b>	<b>09/11/2021</b>	<b>BE210132.01 Figure 6</b>	<b>0</b>
<b>Works arrangement plan</b>	<b>Epic Environmental</b>	<b>09/11/2021</b>	<b>BE210132.01 DA2020/02/02 Plan 1</b>	<b>0</b>
<b>Proposed Shipping container – tie down design – Site Plan</b>	<b>Engineers Queensland</b>	<b>23/092021</b>	<b>BM2920D01</b>	<b>B</b>
<b>Proposed Shipping container – tie down design – Footing Details 1</b>	<b>Engineers Queensland</b>	<b>23/092021</b>	<b>BM2920D02</b>	<b>B</b>
<b>Type B Tunnel House Details, Layout Plan, Elevations A &amp; B</b>	<b>Saint Consulting Engineers</b>	<b>25/05/2022</b>	<b>071205.04B</b>	<b>-</b>
Proposed layout of Monsoon Aquatics Burnett Heads aquaculture site	Monsoon Aquatics Pty Ltd		Figure 1	
Site plan (landscaping)			Figure 10 as amended 19/08/2020	
Plan and elevations of portal frame building	Thomas W. Gately & Assoc. Pty Ltd	06/01/2004	Draw. No. 3355-04	
Water Reticulation Plan. Sanitary Drainage Plan and notes		11/2004	Draw. No. 18069	A

## 10. 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 if the first change associated with this approval does not happen within 6 years after this decision date – referenced in section 85 of the *Planning Act 2016*.

## 11. 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*).

For further information please contact the undersigned on 07 4976 1287 or via email [planning@gpcl.com.au](mailto:planning@gpcl.com.au).

Yours sincerely



**Erin Clark**  
Principal Planner

Cc: WBB SARA  
Bundaberg 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

This development approval is subject to each of the following conditions which are stated by Gladstone Ports Corporation Limited, the Assessment manager.

Part 1a: **Approval sought under Planning Act 2016 – Change application (Change – other) for a change to development approval for Material Change of Use**

#### GENERAL

1. The 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 completed prior to the commencement of the use.
3. Where additional “approval” is required under these conditions by GPC 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.

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 regulatory approvals must be obtained before commencement of works or operation of the facility.
5. The proponent must at its cost and expense, keep and maintain the subject area of the approved use, including existing services, in a clean and tidy state that is satisfactory to the Port.
6. **At all times, public access to the approved use is to be by appointment only and restricted where possible.**
7. **At all times, an Emergency Management Plan must be kept and adhered to for safe evacuation of the site during natural hazards or flood hazard events.**

#### ENGINEERING & PLANNING

8. **Prior to commencing the extended use**, the proponent is to provide drawing/s illustrating the location, **or amended locations**, of seawater feed infrastructure in relation to the seawater intake, the boundary of Lease AA on SP225499 in Lot 501 on SP279707 and the buildings where the seawater is proposed to be used.
9. The proponent is to notify GPC of damage caused to any port infrastructure or services including e.g. road, retaining wall, buildings etc. as a result of this activity. The proponent will undertake necessary repairs at their expense and to the satisfaction of GPC.
10. Any site lighting used during construction 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 with respect to navigation. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of GPC.

11. ***Prior to commencing the extended approved use, submit to the Assessment Manager, a fire system compliance certificate in accordance with AS2419 from a suitably qualified person and confirmation the system meets QFES requirements.***
12. ***The full approved use must be connected to reticulated power, water and telecommunications, and onsite sewerage systems, with sufficient capacity for the approved development.***
13. ***Prior to the commencement of the approved (extended use), a site based stormwater management plan must be developed and submitted to the Assessment Manager. The plan is to demonstrate how the stormwater will be managed and treated (if required). The operations must be maintained in accordance with the plan.***

#### **Parking**

14. A minimum of **20** car spaces are to be constructed of 100mm gravel compacted to 98% MDD with wheel stops designed and installed in accordance with AS2890.1 – Parking Facilities – Off-street car parking. Within six months of the commencement of the **approved changed (extended)** use, the design drawing is to be submitted to the Assessment Manager (GPC) for approval prior to construction.
15. Car parking must be located a minimum of 3m from the top of the adjacent sea wall, constructed on the existing gravel area **and include wheel stops for safety.**

#### **Waste Management**

16. The proponent must provide to the Assessment Manager (GPC) for approval details of outdoor waste storage area screening.
17. ***A waste disposal facility (of sufficient size for all approved activity waste volume and type) must be maintained and serviced, at all times.***
18. Waste organic material must be disposed of offsite in a timely manner to mitigate potential odours.

#### **Landscaping**

19. **The minimum 1m wide landscaping strip must be installed and maintained along the full street frontage only (of approved lease area), behind the existing chain link fence, involving planting of low maintenance shrubs and trees generally in the location shown on the approved plans.**

*Note: Suggested plant species are provided in the GPC Landscaping Guideline in the GPC Development Code 2012.*

20. ***The black screen material is to be removed from the street frontage of the chain wire fencing.***

#### **Signage**

21. Prior to installation, the proponent must provide to the Assessment Manager (GPC) for approval, drawings showing the location, size and content of proposed signage.

#### **Construction Management**

22. ***The hours for the construction of the facility (i.e. operation of any machinery and/or other equipment) shall be restricted to between 6.30am and 6:30pm Monday to Friday and 7.30am to 12.30pm Saturday. No works shall be undertaken on Saturday, Sunday or on public holidays. Any variations to these times will be subject to the written approval of GPC.***



### **Lighting**

23. **All external lighting must be installed 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.**

### **Acid Sulphate Soils**

24. **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**

25. The approved development must be undertaken in accordance with the approved Environmental Management Plan (EMP), Monsoon Aquatics, Burnett Heads Facility **dated 23 December 2021, with any subject amendments required in conditions of approval.**
26. Amendments to the EMP are to be submitted to the Assessment Manager (GPC) for review and approval. Amendments must ensure:
- (a) environmental risks are identified, managed and continually assessed, **including construction activities, the screening of effluent water, predator exclusion methods and waste water management;** and
  - (b) 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; and
  - (c) that reviews of environmental performance are undertaken at least annually.

### **Incident notification**

27. 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 non-compliance with conditions of this approval or any other environmental approval obtained in relation to the development.

## Part 1b: Assessment Manager 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. ***This Decision notice does not authorise or represent an approval for Building Works. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Building works or Plumbing and drainage works.***
3. ***Connections to water and sewerage infrastructure will require Plumbing and Drainage works approvals from a suitably qualified person.***
4. The installation of any pipeline, services or infrastructure may require the submission of a separate ***operational works application, as required.***
5. ***This Decision notice does not authorise the installation of any Advertising devices. The installation may require the submission of additional operational works application.***



## **PART 2: REFERRAL AGENCY CONDITIONS**

**Referral Agency Name: Department of State Development, Infrastructure, Local Government and Planning**



SARA reference: 2112-26351 SRA  
 Council reference: DA2020/02/01

4 March 2022

Gladstone Ports Corporation Limited  
 PO Box 259  
 GLADSTONE QLD 4680  
 planning@gpcl.com.au

Attention: Judy Horsfall

Dear Ms Horsfall

## SARA response—45 Wharf Drive, Burnett Heads

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 4 February 2022.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	4 March 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development Permit	'Other' change application for Material Change of Use for Aquaculture and Ancillary Infrastructure
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 6, Division 1, Subdivision 3, Table 1, Item 1 (10.6.1.3.1.1) —Material change of use for aquaculture (Planning Regulation 2017)	
SARA reference:	2112-26351 SRA	

Assessment Manager: Port of Gladstone Ports Corporation Limited  
Street address: 45 Wharf Drive, Burnett Heads  
Real property description: Part of Lot 501 SP279707 (sublease 51067574 in Lease AA on SP225499)  
Applicant name: Monsoon Aquatics Pty Ltd  
Applicant contact details: 111 Woongarra Scenic Drive  
BAGARA QLD 4670  
daniel@monsoonaquatics.com.au

## Representations

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An applicant may make representations to a referral agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Javier Samanes, Principal Planning Officer, on 07 4037 3237 or via email [WBBSARA@dSDLGP.qld.gov.au](mailto:WBBSARA@dSDLGP.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning – Wide Bay Burnett

cc Monsoon Aquatics Pty Ltd, [emaddison@epicenvironmental.com.au](mailto:emaddison@epicenvironmental.com.au)

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations about a referral agency response provisions  
Attachment 5 - Approved plans and specifications

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing																																																
	<p>10.6.1.3.1.1—Aquaculture—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>																																																	
1.	<p>The approved fisheries resources the subject of this approval are limited to the following species:</p> <table border="1" data-bbox="300 696 1166 1957"> <thead> <tr> <th data-bbox="300 696 730 741">Common name</th> <th data-bbox="738 696 1166 741">Scientific Name</th> </tr> </thead> <tbody> <tr><td data-bbox="300 752 730 797">Acro</td><td data-bbox="738 752 1166 797"><i>Acropora millepora</i></td></tr> <tr><td data-bbox="300 808 730 853">Acro</td><td data-bbox="738 808 1166 853"><i>Acropora tenuis</i></td></tr> <tr><td data-bbox="300 864 730 909">Acro</td><td data-bbox="738 864 1166 909"><i>Acropora subulata</i></td></tr> <tr><td data-bbox="300 920 730 965">Acro</td><td data-bbox="738 920 1166 965"><i>Acropora microclados</i></td></tr> <tr><td data-bbox="300 976 730 1021">Acro</td><td data-bbox="738 976 1166 1021"><i>Acropora spathulata</i></td></tr> <tr><td data-bbox="300 1032 730 1077">Acro</td><td data-bbox="738 1032 1166 1077"><i>Acropora echinata</i></td></tr> <tr><td data-bbox="300 1088 730 1133">Acro</td><td data-bbox="738 1088 1166 1133"><i>Acropora tortuosa</i></td></tr> <tr><td data-bbox="300 1144 730 1189">Acro</td><td data-bbox="738 1144 1166 1189"><i>Acropora hyacinthus</i></td></tr> <tr><td data-bbox="300 1200 730 1245">Acro</td><td data-bbox="738 1200 1166 1245"><i>Acropora formosa</i></td></tr> <tr><td data-bbox="300 1256 730 1301">Acro</td><td data-bbox="738 1256 1166 1301"><i>Acropora florida</i></td></tr> <tr><td data-bbox="300 1312 730 1357">Acro</td><td data-bbox="738 1312 1166 1357"><i>Acropora horrida</i></td></tr> <tr><td data-bbox="300 1368 730 1413">Acro</td><td data-bbox="738 1368 1166 1413"><i>Acropora solitaryensis</i></td></tr> <tr><td data-bbox="300 1424 730 1469">Antler coral</td><td data-bbox="738 1424 1166 1469"><i>Stylophora pistillata</i></td></tr> <tr><td data-bbox="300 1480 730 1525">Aussie brain coral</td><td data-bbox="738 1480 1166 1525"><i>Australomussa rowleyensis</i></td></tr> <tr><td data-bbox="300 1536 730 1581">Birdsnest coral</td><td data-bbox="738 1536 1166 1581"><i>Seriatopora hystrix</i></td></tr> <tr><td data-bbox="300 1592 730 1637">Boulder coral</td><td data-bbox="738 1592 1166 1637"><i>Porites australiensis</i></td></tr> <tr><td data-bbox="300 1648 730 1693">Boulder coral</td><td data-bbox="738 1648 1166 1693"><i>Porites densa</i></td></tr> <tr><td data-bbox="300 1704 730 1749">Boulder coral</td><td data-bbox="738 1704 1166 1749"><i>Porites lobata</i></td></tr> <tr><td data-bbox="300 1760 730 1805">Boulder coral</td><td data-bbox="738 1760 1166 1805"><i>Porites monticulosa</i></td></tr> <tr><td data-bbox="300 1816 730 1861">Branching hammer</td><td data-bbox="738 1816 1166 1861"><i>Euphyllia paraancora</i></td></tr> <tr><td data-bbox="300 1872 730 1917">Button coral</td><td data-bbox="738 1872 1166 1917"><i>Scolymia australis</i></td></tr> <tr><td data-bbox="300 1928 730 1973">Button coral</td><td data-bbox="738 1928 1166 1973"><i>Scolymia vitiensis</i></td></tr> <tr><td data-bbox="300 1984 730 2029">Candy cane</td><td data-bbox="738 1984 1166 2029"><i>Caulastreaa curvata</i></td></tr> </tbody> </table>	Common name	Scientific Name	Acro	<i>Acropora millepora</i>	Acro	<i>Acropora tenuis</i>	Acro	<i>Acropora subulata</i>	Acro	<i>Acropora microclados</i>	Acro	<i>Acropora spathulata</i>	Acro	<i>Acropora echinata</i>	Acro	<i>Acropora tortuosa</i>	Acro	<i>Acropora hyacinthus</i>	Acro	<i>Acropora formosa</i>	Acro	<i>Acropora florida</i>	Acro	<i>Acropora horrida</i>	Acro	<i>Acropora solitaryensis</i>	Antler coral	<i>Stylophora pistillata</i>	Aussie brain coral	<i>Australomussa rowleyensis</i>	Birdsnest coral	<i>Seriatopora hystrix</i>	Boulder coral	<i>Porites australiensis</i>	Boulder coral	<i>Porites densa</i>	Boulder coral	<i>Porites lobata</i>	Boulder coral	<i>Porites monticulosa</i>	Branching hammer	<i>Euphyllia paraancora</i>	Button coral	<i>Scolymia australis</i>	Button coral	<i>Scolymia vitiensis</i>	Candy cane	<i>Caulastreaa curvata</i>	At all times
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Candy cane	<i>Caulastrea echinulate</i>
Chalice coral	<i>Echinophyllia aspera</i>
Chalice coral	<i>Echinophyllia echinata</i>
Crust coral	<i>Leptastrea bewickensis</i>
Crust coral	<i>Leptastrea purpurea</i>
Cushion coral	<i>Cynarina lacrymalis</i>
Elegance coral	<i>Catalaphyllia jardinei</i>
Elephant skin coral	<i>Pachyseris rugosa</i>
Elephant skin coral	<i>Pachyseris speciosa</i>
Flowerpot coral	<i>Alveopora allingi</i>
Flowerpot coral	<i>Alveopora spongiosa</i>
Flowerpot coral	<i>Alveopora tizardi</i>
Flowerpot coral	<i>Alveopora verrilliana</i>
Frogspawn coral	<i>Euphyllia divisa</i>
Galaxy coral	<i>Galaxea fascicularis</i>
Golf ball coral	<i>Goniopora lobata</i>
Golf ball coral	<i>Goniopora minor</i>
Golf ball coral	<i>Goniopora stokesi</i>
Green horn coral	<i>Hydnophora microconos</i>
Leaf coral	<i>Pavona cactus</i>
Leaf coral	<i>Pavona danai</i>
Lobed brain coral	<i>Lobophyllia robusta</i>
Long tentacled plate coral	<i>Heliofungia actiniformis</i>
Maze brain coral	<i>Oulophyllia bennettae</i>
Maze brain coral	<i>Oulophyllia crispa</i>
Maze brain coral	<i>Platygyra contorta</i>
Maze brain coral	<i>Platygyra lamellina</i>
Monti	<i>Montipora angulata</i>
Monti	<i>Montipora digitata</i>
Monti	<i>Montipora floweri</i>
Monti	<i>Montipora granulosa</i>
Monti	<i>Montipora monasteriata</i>
Monti	<i>Montipora spumosa</i>

Monti	<i>Montipora stellata</i>
Monti	<i>Montipora undata</i>
Moon brain	<i>Astreopora expansa</i>
Moon brain	<i>Astreopora gracilis</i>
Moon coral	<i>Danafungai horrida</i>
Moon coral	<i>Favia danae</i>
Moon coral	<i>Favia fava</i>
Moon coral	<i>Favia maxima</i>
Moon coral	<i>Favia veroni</i>
Moon coral	<i>Favites flexuosa</i>
Moon coral	<i>Favites pentagona</i>
Moon coral	<i>Favites russelli</i>
Nano posie coral	<i>Blastomussa merleti</i>
Nudibranch coral	<i>Trachyphyllia geoffroyi</i>
Pagoda coral	<i>Turbinaria bifrons</i>
Pagoda coral	<i>Turbinaria heronensis</i>
Pagoda coral	<i>Turbinaria peltata</i>
Pagoda coral	<i>Turbinaria reniformis</i>
Peacock coral	<i>Mycedium elephantotus</i>
Pineapple coral	<i>Acanthastrea bowerbanki</i>
Pineapple coral	<i>Acanthastrea echinata</i>
Pineapple coral	<i>Acanthastrea lordhowensis</i>
Pipe organ	<i>Tubipora musica</i>
Plate coral	<i>Lithophyllon mokai</i>
Plate/mushroom coral	<i>Fungia curvata</i>
Plate/mushroom coral	<i>Fungia danae</i>
Plate/mushroom coral	<i>Fungia tenuis</i>
Pocillopora	<i>Pocillopora damicornis</i>
Pocillopora	<i>Pocillopora ligulata</i>
Pocillopora	<i>Pocillopora woodjonesi</i>
Posie coral	<i>Blastomussa wellsii</i>
Space brain	<i>Cyphastrea japonica</i>
Space brain	<i>Cyphastrea ocellina</i>



Spiny cup	<i>Pectinia lactuca</i>
Spiny cup	<i>Pectinia paeonia</i>
Sun coral	<i>Tubastraea coccinea</i>
Sun coral	<i>Tubastrea micrantha</i>
Torch coral	<i>Euphyllia glabrescens</i>
Tree coral	<i>Duncanopsammia axifuga</i>
Velvet coral	<i>Psammocora contigua</i>
Velvet coral	<i>Psammocora digitata</i>
Velvet coral	<i>Psammocora nierstraszi</i>
Wall hammer	<i>Euphyllia ancora</i>
Wheel animalcule	<i>Rotifer sp.</i>
Wrinkle coral	<i>Leptoseris incrustans</i>
Wrinkle coral	<i>Leptoseris scabra</i>
Aipasia Eating Filefish	<i>Acreichthys tomentosus</i>
False Percula Clownfish	<i>Amphiprion ocellaris</i>
Percula Clownfish	<i>Amphiprion percula</i>
Scribbled Angelfish	<i>Chaetodontoplus duboulayi</i>
Blueline Fairy Wrasse	<i>Cirrhilabrus lineatus</i>
Laboute's Fairy Wrasse	<i>Cirrhilabrus laboutei</i>
Watanabe's Angelfish	<i>Genicanthus watanabei</i>
Purple Firefish	<i>Nemateleotris decora</i>
Helfrich's Dartfish	<i>Nemateleotris helfrichi</i>
Blue Tang	<i>Paracanthurus hepatus</i>
Carpenter's Flasher Wrasse	<i>Paracheilinus carpenteri</i>
Yellowfin Flasher Wrasse	<i>Paracheilinus flavianalis</i>
Redtail Flasher Wrasse	<i>Paracheilinus rubricaudalis</i>
Dispar Anthias	<i>Pseudanthias dispar</i>
Onestripe Anthias	<i>Pseudanthias fasciatus</i>
Sunburst Anthias	<i>Pseudanthias latus</i>
Purple-tip Anthias	<i>Pseudanthias paralourgus</i>
Squarespot Anthias	<i>Pseudanthias pleurotaenia</i>
Lyretail Anthias	<i>Pseudanthias squamipinnis</i>
Princess Anthias	<i>Pseudanthias smithvanizi</i>

Longfin Anthias	<i>Pseudanthias ventralis</i>
Sixline Wrasse	<i>Pseudocheilinus hexataenia</i>
Regal Angelfish	<i>Pygoplites diacanthus</i>
Barred Rabbitfish	<i>Siganus doliatus</i>
Spinefoot Rabbitfish	<i>Siganus virgatus</i>
Splendid Mandarin Dragonet	<i>Synchiropus splendidus</i>
Target Mandarin Dragonet	<i>Synchiropus picturatus</i>
Boring Clam	<i>Tridacna crocea</i>
Small Giant Clam	<i>Tridacna maxima</i>
Fluted Giant Clam	<i>Tridacna squamosa</i>
Redline Cleaner Shrimp	<i>Lysmata amboinensis</i>
Blood Red Cleaner Shrimp	<i>Lysmata debelius</i>
Peppermint Shrimp	<i>Lysmata wurdemanni</i>
Peppermint Shrimp	<i>Lysmata vittata</i>
Peppermint Shrimp	<i>Lysmata lipkei</i>
Sexy Anemone Shrimp	<i>Thor amboinensis</i>
Glass Anemone Shrimp	<i>Periclimenes brevicaraplis</i>
Harlequin Shrimp	<i>Hymenocera picta</i>
Commercial Top Shell Snail	<i>Trochus niloticus</i>
Short Spine Urchin	<i>Echinometra mathaei</i>
Collector Urchin	<i>Tripneustes gratilla</i>
Red Sea Plume	<i>Asparagopsis taxiformis</i>
Seagrass	<i>Zostera muelleri</i>
Lobed Brain Coral	<i>Acanthastrea hemprichii</i>
Acro	<i>Acropora aculeus</i>
Acro	<i>Acropora anthocercis</i>
Acro	<i>Acropora austera</i>
Acro	<i>Acropora cytherea</i>
Acro	<i>Acropora granulosa</i>
Acro	<i>Acropora latistella</i>
Acro	<i>Acropora longicyathus</i>
Acro	<i>Acropora loripes</i>
Acro	<i>Acropora nasuta</i>

Acro	<i>Acropora prostrata</i>
Acro	<i>Acropora solitaryensis</i>
Acro	<i>Acropora palmerae</i>
Acro	<i>Acropora robusta</i>
Acro	<i>Acropora rosaria</i>
Acro	<i>Acropora sarmentosa</i>
Acro	<i>Acropora selago</i>
Acro	<i>Acropora subulata</i>
Acro	<i>Acropora valida</i>
Acro	<i>Acropora vaughni</i>
Acro	<i>Acropora willisae</i>
Moon Brain Coral	<i>Astreopora rabdalli</i>
Moon Brain Coral	<i>Astreopora listeri</i>
Mushroom Coral	<i>Ctenactis albitentaculata</i>
Space Brain Coral	<i>Cyphastrea chalcidicum</i>
Plate Coral	<i>Diaseris fragilis</i>
Moon Coral	<i>Favia rosaria</i>
Moon Coral	<i>Favia speciosa</i>
Brain Coral	<i>Goniastrea australensis</i>
Brain Coral	<i>Goniastrea palauensis</i>
Green Horn Coral	<i>Hydnophora exesa</i>
Green Horn Coral	<i>Hydnophora rigida</i>
Crust Coral	<i>Leptastrea pruinosa</i>
Crust Coral	<i>Leptastrea bewickensis</i>
Wrinkle Coral	<i>Leptoseris mycetoseroides</i>
Stone Leaf Coral	<i>Lithophyllon undulatum</i>
Lobed Brain Coral	<i>Lobophyllia corymbosa</i>
Lobed Brain Coral	<i>Lobophyllia hataii</i>
Lobed Brain Coral	<i>Lobophyllia pachysepta</i>
Lobed Brain Coral	<i>Lobophyllia hemprichii</i>
Madracis Coral	<i>Madracis kirbyi</i>
Lettuce Coral	<i>Merulina ampliata</i>
Lettuce Coral	<i>Merulina scabricula</i>

Montipora Coral	<i>Montipora aequituberculata</i>
Montipora Coral	<i>Montipora capricornis</i>
Montipora Coral	<i>Montipora confusa</i>
Montipora Coral	<i>Montipora danae</i>
Montipora Coral	<i>Montipora foliosa</i>
Montipora Coral	<i>Montipora tuberculosa</i>
Montipora Coral	<i>Montipora striata</i>
Porus Lettuce Coral	<i>Oxypora lacera</i>
Maze Brain Coral	<i>Platygyra ryukyuensis</i>
Maze Brain Coral	<i>Platygyra daedalea</i>
Bubble Coral	<i>Plerogyra sinuosa</i>
Moon Coral	<i>Plesiastrea versipora</i>
Boulder Coral	<i>Porites lichen</i>
Velvet Coral	<i>Psammocora obtusangula</i>
Birdsnest Coral	<i>Seriatopora caliendrum</i>
Stylo Coral / Space Brain	<i>Stylocoeniella armata</i>
Stylo Coral / Space Brain	<i>Stylophora subseriata</i>
Open Brain Coral	<i>Symphyllia agaricia</i>
Open Brain Coral	<i>Symphyllia radians</i>
Open Brain Coral	<i>Symphyllia recta</i>
Open Brain Coral	<i>Symphyllia valenciennesii</i>
Pagoda Coral	<i>Turbinaria mesenterina</i>
Pagoda Coral	<i>Turbinaria stellulata</i>
Star Polyp Coral	<i>Briareum sp.</i>
Kenya Tree Coral	<i>Capnella sp</i>
Seaman's Hand Coral	<i>Cladellia sp.</i>
Clove Polyps	<i>Clavularia viridis</i>
Elephant Ear Mushroom	<i>Discosoma spp.</i>
Photosynthetic Gorgonian Coral	<i>Eunicella singularis</i>
Sea Fan	<i>Gorgonian sp.</i>
Zoanthid Coral	<i>Palythoa sp.</i>
Ricordia Mushroom	<i>Ricordia uma</i>
Rhodactis Mushroom	<i>Rhodactis spp.</i>

	Leather Coral	<i>Sarcophyton ehrenbergi</i>	
	Yellow Leather Coral	<i>Sarcophyton elegans</i>	
	Toadstool Coral	<i>Sarcophyton glaucum</i>	
	Milk Leather Coral	<i>Sarcophyton latum</i>	
	Rooster Coral	<i>Sinularia dura</i>	
	Spaghetti Leather Coral	<i>Sinularia flexibilis</i>	
	Finger Leather Coral	<i>Sinularia polydactyla</i>	
	Sympodium Coral	<i>Sympodium sp.</i>	
	Pom Pom Coral	<i>Xenia sp.</i>	
	Adhesive anemone	<i>Cryptodendrum adhaesivum</i>	
	Bubble tip anemone	<i>Entacmaea quadricolor</i>	
	Rock Flower Anemone	<i>Epicystis crucifer</i>	
	Crispa Anemone	<i>Heteractis crista</i>	
	Magnificent Anemone	<i>Heteractis magnifica</i>	
	Sand Anemone	<i>Heteractis malu</i>	
	Beaded Anemone	<i>Heteractis aurora</i>	
	Carpet Anemone	<i>Stichodactyla haddoni</i>	
	Maxi Mini Anemone	<i>Stichodactyla tapetum</i>	
	Chalice Coral	<i>Echinophyllia echinate</i>	
	Boulder coral	<i>Porites derisa</i>	
	Hereafter referred to as the "approved species".		
2.	The water surface area associated with the aquaculture hatchery tanks, wild brood stock tanks, coral spawning laboratory, coral fragging area, bioremediation area, live feeds area and dispatch tanks, is limited to a combined maximum area of 1,000m <sup>2</sup> , and must be carried out generally in accordance with Figure 3 – Site Plan prepared by Epic Environmental, dated 09/11/2021, reference BE210132.01 and Revision 0.		Prior to commencement of use and to be maintained at all times
3.	The water surface area associated with the aquaculture water treatment ponds is limited to a combined maximum area of 250m <sup>2</sup> and must be carried out generally in accordance with Figure 3 – Site Plan prepared by Epic Environmental, dated 09/11/2021, reference BE210132.01 and Revision 0.		Prior to commencement of use and to be maintained at all times
4.	The development must be undertaken and operated in accordance with the following plans: <ul style="list-style-type: none"> <li>• Disease Management Plan – Monsoon Aquatics, Burnett Heads Facility prepared by Monsoon Aquatics; and</li> <li>• Environmental Management Plan – Monsoon Aquatics, Burnett Heads</li> </ul>		Prior to commencement of use and to be maintained at all times

	Facility prepared by Monsoon Aquatics.	
5.	<p>Provide written notice to notifications@daf.qld.gov.au, when the construction of the development authorised under this approval:</p> <p>(a) will start, and</p> <p>(b) when it has been completed.</p> <p>These notices must state this permit number 2112-26351 SRA.</p>	<p>At least 5 business days but no greater than 20 business days prior to the commencement of the works</p> <p>Within 15 business days of the completion of the fisheries development works</p>
6.	Spoil is not disposed of on tidal lands or within waterways and is managed to prevent acid soil development.	At all times
7.	This aquaculture development constitutes a place that is required to be open for inspection by an inspector at all times, pursuant to section 145 of the <i>Fisheries Act 1994</i> .	At all times
8.	<p>Inform the assessing authority, Department of Agriculture and Fisheries, via notifications@daf.qld.gov.au of any changes to the personal contact details for this development approval.</p> <p><i>Note: Forms for reporting a change in contact details can be found at <a href="https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/aquaculture/policies-licences-fees/fees-forms/forms">https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/aquaculture/policies-licences-fees/fees-forms/forms</a></i></p>	Within 28 days of change to personal contact details
9.	Aquaculture fisheries resources must not be sold, traded or given away for the purposes of using for bait. This includes the use of whole fish and any part of the fish.	At all times
10.	<p>Provide an annual aquaculture production return in the approved form to the Department of Agriculture and Fisheries. This includes lodging a nil return when no activity has occurred.</p> <p><i>Note: This is an information requirement pursuant to section 118 of the Fisheries Act 1994. Details on how to lodge an electronic aquaculture production return will be sent to operators annually.</i></p>	By close of business on the 31 July each year
11.	<p>Aquaculture fisheries resources must not be released into Queensland waters (as defined in the <i>Acts Interpretation Act 1954</i>).</p> <p><i>Note: It is an offence under the Fisheries Act 1994 to unlawfully release aquaculture fisheries resources, or cause aquaculture fisheries resources to be released, into Queensland waters. Maximum penalty—2000 penalty units.</i></p>	At all times
12.	The movement of fisheries resources into, or within, Queensland must comply with the current versions of the Health protocol for movement of aquatic animals for aquaculture in Queensland.	At all times



	<p><i>Note: Health protocols and application form FDU1398 can be found at <a href="https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/aquaculture/policies-licences-fees/moving-aquatic-animals">https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/aquaculture/policies-licences-fees/moving-aquatic-animals</a>.</i></p> <p><i>Note: Commonwealth quarantine protocols must be successfully completed for the relevant organisms of any species prior to their introduction to the approved aquaculture area.</i></p>	
13.	<p>Maintain control over the release of water from all ponds, tanks and drainage systems within the approved aquaculture area.</p> <p><i>Note: Control may be achieved through ensuring ponds, tanks and containers integrity at all times, having adequate freeboard to avoid any overtopping, preventing overland flow, ensuring all equipment intended to control releases is functioning correctly at all times and backup systems or equipment are in place.</i></p>	Upon commencement of use and to be maintained at all times
14.	<p>Install adequate screening on all points of water release or discharge from the aquaculture development within the approved aquaculture area to prevent the escape of any aquaculture fisheries resources (eggs, juveniles or adults) into Queensland waters (as defined in the <i>Acts Interpretation Act 1954</i>).</p>	Prior to commencement of use and to be maintained at all times
15.	<p>Install adequate screening, on all intake waters to prevent the movement of any juvenile or adult wild fauna (excepting zooplankton) into the approved aquaculture area.</p>	Prior to commencement of use and to be maintained at all times
16.	<p>Ponds, tanks and containers used to cultivate indigenous aquaculture fisheries resources are constructed with the lowest point of the top of wall above Q100 flood level.</p>	Prior to commencement of use and to be maintained at all times

## Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP), version 2.6. If a word remains undefined it has its ordinary meaning.
2.	<p><b>Marine plants</b></p> <p>Marine plants, including seagrass and algae, are protected under the <i>Fisheries Act 1994</i>. The removal, destruction or damage of marine plant constitutes assessable development under the <i>Planning Act 2016</i> that has not been authorised under this development approval.</p>
3.	<p><b>Broodstock collection permit</b></p> <p>Approval of this development application does not guarantee that a broodstock collection permit (General Fisheries Permit) will be granted. You are recommended to consult with the Licensing Unit in the Department of Agriculture and Fisheries to determine whether a brood/culture stock collection permit can be obtained for the proposed species.</p>

## **Attachment 3—Reasons for referral agency response**

(Given under section 56(7) of the *Planning Act 2016*)

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### **The reasons for SARA's decision are:**

The proposed development complies with State code 17: Aquaculture of the SDAP. Specifically, the development:

- appropriately carries out the use of fisheries and aquaculture fisheries resources
- meets standards in the prevention, control and eradication of disease in fish
- suitably contains aquaculture fisheries resources to prevent escape and release
- has the ability to prevent the entry of fisheries resources into the development area
- has the ability to meet food and other relevant supply chain standards
- meets the relevant standards for associated features (e.g. location of ponds, use of aquaculture furniture)
- is conditioned to monitor performance and operational procedures where required.

### **Material used in the assessment of the application:**

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 2.6), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*.

## **Attachment 4—Representations about a referral agency response provisions**

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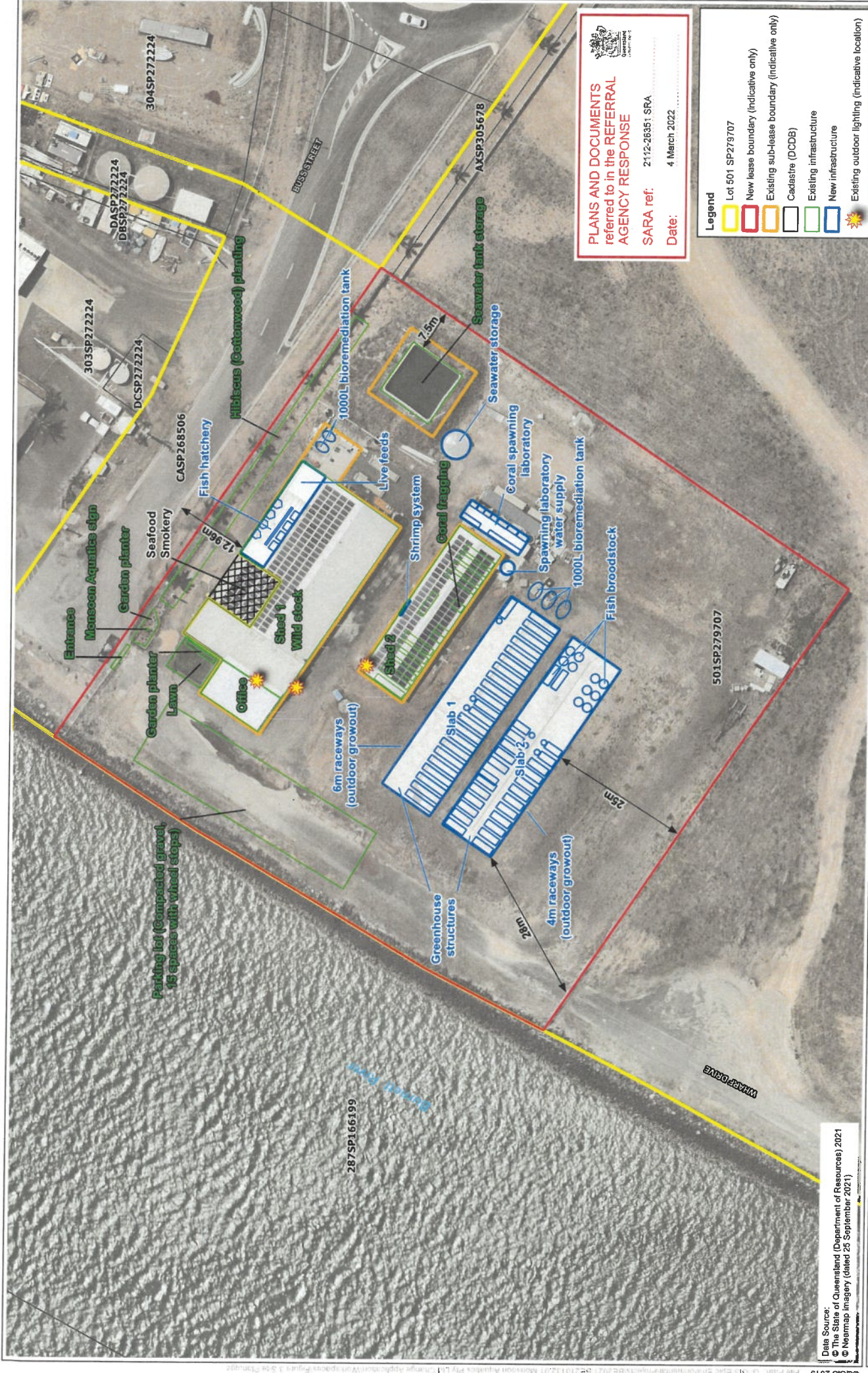
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## **Attachment 5—Approved plans and specifications**


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**PLANS AND DOCUMENTS**  
 referred to in the REFERRAL  
**AGENCY RESPONSE**  
 SARA ref: 2112-26351\_SRA  
 Date: 4 March 2022

- Legend**
- Lot 501 SP279707
  - New lease boundary (indicative only)
  - Existing sub-lease boundary (indicative only)
  - Cadastre (DCDB)
  - Existing infrastructure
  - New infrastructure
  -  Existing outdoor lighting (indicative location)

Data Source:  
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# Disease Management Plan

Monsoon Aquatics, Burnett Heads Facility.

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## Biosecurity measures to be included in the design of the aquaculture facility

- Sheds will be equipped with foot baths and hand sanitiser stations at each entry and exit, staff will also be required to wear gloves while handling corals.
- Transferring of corals once in a system will be restricted.
- All sheds are to be closed unless doors are required to be open.
- No water is to be transferred from shed to shed.
- All tank drainage equipment is to be assigned to a single system or sterilised between systems if used in multiple systems.

## Disease monitoring

- Daily checks are performed by trained personnel with any mortalities recorded and cause of death investigated.
- Records of mortalities will be routinely checked to allow for early capture of diseases, shown by increasing mortalities.
- Any unknown causes of deaths will be further investigated and examined by senior staff members.
- If cause of death can still not be identified a sample will be sent off to the associated veterinary practise for further analysis.

- If required a sample will be sent off to CQU/or another certified lab for further analysis.
- Staff members will routinely undertake upskilling/training in disease monitoring and recognition of disease outbreaks.
- Water quality parameters are to be monitored (including source water) for irregularities that may cause a secondary disease outbreak caused by poor water quality.

### Quarantine procedures for new stock

- All new stock will be brought into the facility and placed in a quarantine tank in Shed 1, never directly into aquaculture systems.
- The stock will be inspected for pests, disease, and death upon arrival.
- Natural extract based (Coral Rx® non-toxic essential oil) treatments of corals will be used where appropriate.
- All mortalities will be investigated by a trained senior member of staff.
- Corals are then trimmed to remove excess rock, sponge and plant material leaving only live coral.
- Once trimmed coral will be placed in a standard coral dip to reduce ingress of pests into the system.
- The corals remain in the dip for 10 minutes. Powerheads are used and the corals are vibrated to remove dead invertebrates and flatworms.
- Corals are then rinsed in salt water and checked for any remaining pests.
- Any shrimp, fish or crabs are removed from the coral using long tweezers.
- Once corals have been inspected to ensure all crabs, fish, shrimps, and worms have been removed they can be moved to the holding tanks.

### Veterinary monitoring of stock

- Stock is routinely monitored by a local vet with knowledge of common coral diseases.
- Ornamental fish and other invertebrates will also be checked routinely.
- Any suspicious stock is reported to the facility manager for further investigation.

### Disease outbreak control measures

#### Day-to-day

- Personnel are required to wash shoes and clean hands upon entry to each building.
- Shed doors are to remain closed at all time unless necessary.
- Visitors to the facility will not be allowed to place any part of their body or clothing in any system water.
- Access to the systems will be restricted.

- Coral movement between systems will be limited and only done if necessary.
- If stock is to be moved between systems, it will be dipped and rinsed before being placed into the receiving system.
- All mortalities will be investigated on the day of recording, minimising chance of disease spreading.
- Equipment shall be thoroughly cleaned in chlorinated water and rinsed in R.O. water before being used in any system and if going between systems.
- Water quality is to be monitored daily during the week to help monitor changing parameters that may lead to secondary disease outbreaks.

### Disease outbreak

If a disease outbreak has been detected the following procedure shall be followed.

1. Isolate the infected tank.
2. Inspect the infected fish, coral, or other invertebrate for any known sources of the disease. This may require the use of the lab and microscope for bacterial analysis.
3. Remove any infected coral from the tank, reducing the bacterial load of the system.
4. Treat with Coral Rx where appropriate.
5. If infection is fatal stock is to be placed in an IBC with Chlorinated water for up to 48hrs to ensure the disease is destroyed.
6. If the infection is not fatal infected stock is to be placed in the quarantine tank.
7. Once stock has been quarantined it will be inspected and treated as required. If veterinary inspection is required samples of the stock and water will be sent to the affiliated veterinary practice for inspection and any treatments will be administered as directed.
8. The tank that was holding the infected stock will be isolated and treated. If the disease is contained to the 1 tank it will be drained and sterilised before being filled.
9. All water drained from the infected tank will be treated with chlorine in IBC's at a rate of 45g/1000L for 48hrs.
10. Once the water has been deemed to be disease free it will be disposed of in accordance with QLD regulations.



# Environmental Management Plan

Monsoon Aquatics, Burnett Heads Facility

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## Introduction

Monsoon Aquatics is proposing a land-based marine ornamental aquaculture operation using saltwater sourced from a recommissioned Gladstone Ports Corporation pump house. The site was previously approved for scallop aquaculture, but approvals have since lapsed. The proposed activity requires no land clearing or considerable construction and will instead revitalise existing infrastructure to aquaculture aquatic organisms native to the Great Barrier Reef. Target aquaculture species will include locally sourced ornamental fish, shrimps, clams, seagrass, seaweed, and coral species.

In contrast to aquaculture operations whereby aquatic animals are grown for human consumption and production is measured in growth in weight, ornamental aquaculture instead cultivates individuals to considerably smaller market sizes at lower stocking density, thus requiring comparatively miniscule feed input. Consequently, the aquaculture of ornamental coral reef species has a much cleaner carbon footprint, evident by the production of effluent water which is of higher quality than water in the Burnett River. The water pumped from the ocean will be filtered to 200

micron before entering the facility, filtered by our Life Support Systems (LSS), then released back into the Burnett River adjacent to the facility (excluding aquaculture water). Our activity entails limited feeding of animals, and only natural extract based (Coral Rx® non-toxic essential oil) treatments of corals to assist wound repair and parasite control.

All LSS will maintain coral reef level water quality (oligotrophic – nutrient deficient) using industrial foam fractionators (nutrient removal), biological filtration media, algae chambers for bioremediation, mechanical filtration for particulate removal, and computerized water quality management systems which sends message alerts to key personnel in the event of a major change or a drift out of ideal parameters. In addition to our rigorous weekly water quality testing of all systems, ICP testing of the water quality in each of our wild and aquaculture systems, we will sample and record both influent and effluent water quality. This will provide transparent and reliable data to ensure only the cleanest of effluent water is discharged. In the unlikely event there is nutrient elevation in discharge water, all water can be run through algal bioremediation systems prior to discharge to strip any remaining nutrients from the water before returning the Burnett River system for non-aquaculture water only. Water from the aquaculture system will be pumped into packing boxes and/or pumped via a transportable sump pump to the existing seawater storage tank located on site where it will be held there to evaporate.

Biosecurity is an important aspect of any aquaculture operation. All systems are supported with overflow mesh drains, floor drains fitted with grills, and 500 micron mesh on drains that feed our discharge sumps to prevent any livestock from escaping into the adjacent waterway. Additionally, all tanks will be fitted with excluders to ensure no animals are released with the discharge water or over the top of the tanks into tidal waters. Because corals are sessile organisms (do not move), any risk of escape is negligible. Any fish or other invertebrate will be prevented from escape by the use of overflow excluders in each tank as part of each system, filter socks in each sump, and the plastic grills fitted to each drain. In addition to these control measures, we have minimal risk of flooding because our 145 Buss Street site is situated above the highest astronomical tides experienced in the region, and the top rims of each raceway are positioned over 1 meter higher than the 1 in 100-year flood levels.

We propose aquaculture production to occur in System 3, System 4, a coral fragging area, a coral spawning laboratory, a biosecure hatching room, a small live feeds room, and growout systems (8) located in greenhouses on the concrete slabs adjacent Shed 2 (Systems 5-12). This production will be limited to less than 1000 m<sup>2</sup> of aquaculture system and water storage surface area. All aquacultured livestock housed in outdoor aquaculture systems will be protected from avian predators using a combination of the greenhouse structure and exclusion nets to mitigate any risk of entry into the waterway after attempted predation. Hatchery procedures will occur in the coral spawning lab and the biosecure hatching room.

Wild stock will be exclusively housed in System 1 and System 2 which are completely separate from all aquaculture systems. While the biosecure hatchery room is within Shed 1, there is no access between rooms housing system 1 and system 2, and the hatchery room itself. System 2 will also house tanks used for a packing/dispatch area for shipping orders.



**Table 1:** Projected surface area contributions from each aquaculture section of the Monsoon Aquatics Bundaberg facility. These values are rounded up to overestimate usage wherever possible.

System	Details	Surface Area
System 3 (Coral)	6x 6m raceway tanks and sump	42 m <sup>2</sup>
System 4 (Coral)	5x 6m raceway tanks and sump	38 m <sup>2</sup>
Coral Spawning Laboratory (Coral)	3x 2m broodstock tanks with sumps 4x 1m settlement tanks with sumps	<20 m <sup>2</sup>
Coral fragging area	1x 4m raceway	<5m <sup>2</sup>
Biosecure Hatchery (fish)	16x 100L aquaria w/ shared sump 10x 65L Clownfish tanks 4x 1000L larval rearing and sump	<30 m <sup>2</sup>
Shrimp System	20x 34L Aquaria and Sumps	<5m <sup>2</sup>
Greenhouse 1 (4 systems; mixed stock)	20x 6m raceways tanks and 4x sumps	165m <sup>2</sup>
Greenhouse 2 (Systems; mixed stock)	20x 4m raceway tanks and 2x sumps 6x 2500L fish broodstock tanks + 1 sump 4x 1000L growout tanks + 1 sump 10x 20L aquaria w/ shared sump	<190m <sup>2</sup>
Live Feeds Area	9x 100-200L conical tanks with 1 sump	<5m <sup>2</sup>
Seawater Storage	10x10m reservoir, 1x round storage tank 10,000L, 1x storage tank 5,000L,	<110m <sup>2</sup>
Bioremediation	5x 1,000L oval water tubs	<14 m <sup>2</sup>
<b>Total</b>		~760 m <sup>2</sup>



Site Plan



Figure 1: Aerial property view of 145 Buss Street Burnett Heads Qld 4670.

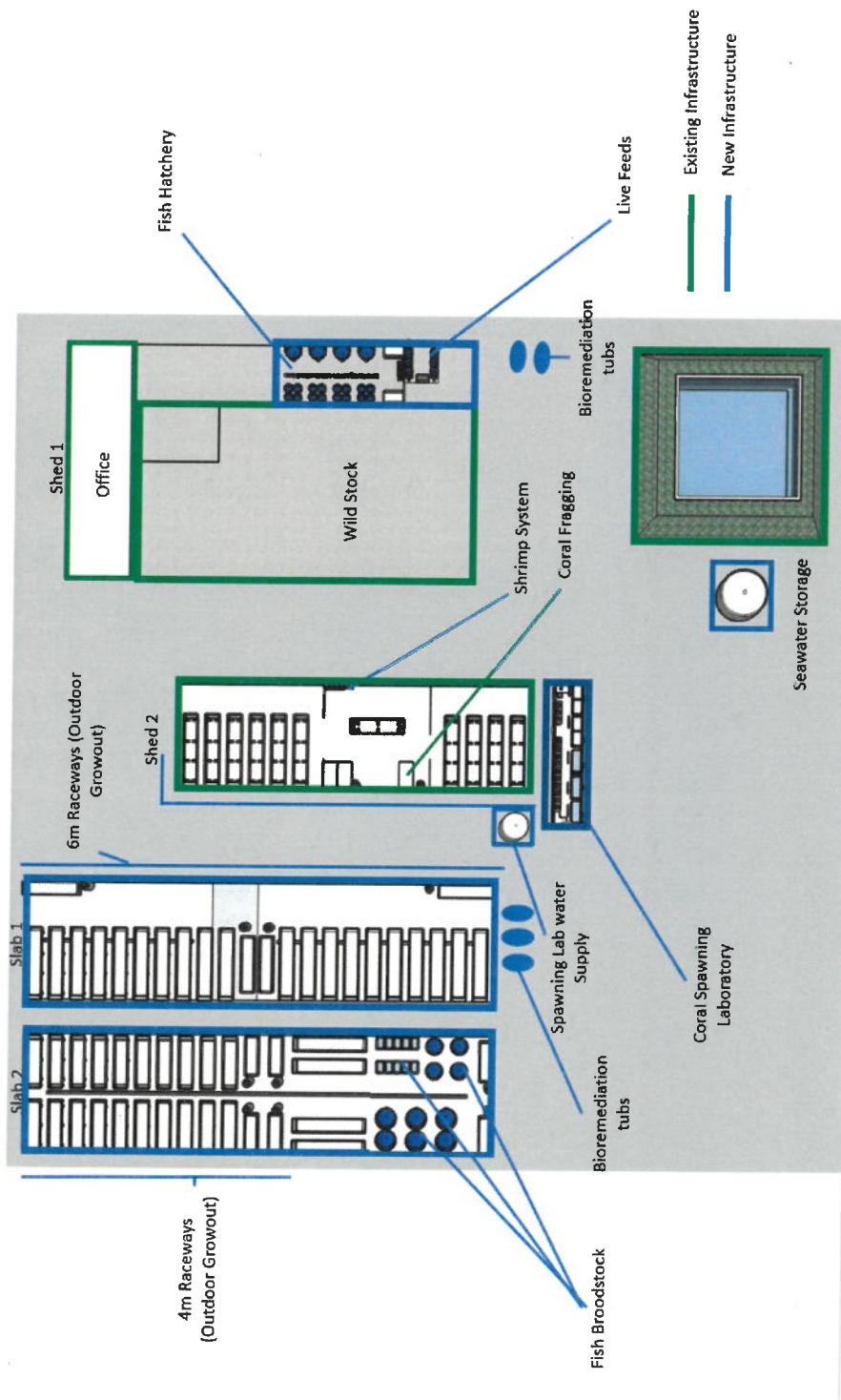


Figure 2: The proposed layout of 145 Buss Street property with proposed designated aquaculture areas marking existing (green) and proposed infrastructure (blue).

## Seawater Provision

- Water pumped and filtered from GPC pump house to 145 Buss St. Burnett Heads and then stored in water reservoirs.
  - See Pump House Protocol document for standard operating procedures for safe operation of the pump.
- Animal exclusion via 8mm filters in foot valve on pump inlet and 2x 200 micron sand filters.

## Environmental Issues

- Water conservation
  - Water onsite will be restricted in its use to cleaning of the facility, consumption, and treatment of sewage. Wherever possible saltwater will be utilised for cleaning of equipment and facility to minimise the use of potable water.
- Air quality management
  - Vehicles will be restricted to driving on established roads to reduce the creation of dust.
- Noise management
  - Shed doors will remain shut unless in use to reduce the noise created by the life support systems. All other activities creating excess noise will be restricted to daytime.
- Land contamination
  - No contaminated materials are to be buried or dumped onsite. Contaminated water will be treated with chlorine and disposed of in accordance with QLD regulations.
- Waste management
  - All site waste is to be disposed of in the waste collection bins which are emptied weekly basis unless earlier collection is requested by the facility manager.
  - Recycle as much waste as possible with bi-weekly recycling pickup
- Hours of work
  - Main hours of work are between 8 am and 5pm Monday to Friday, however after-hours work may be required on occasion. When after hours work is conducted personnel will be required to minimise all unnecessary light pollution.
- Access to the site
  - Access to site is restricted to staff and clients, keys allowing access to site are logged and controlled in accordance with the Australian Governments Known Consigner program.
- Storage of fuel and other hazardous goods

- Fuel and hazardous goods will be stored in a fire-retardant storage container that is in a bunded section of the facility.
- Fuelling and maintenance of vehicles and equipment
  - All fuelling of company vehicles is performed offsite at registered service stations. All maintenance of vehicles is performed offsite by trained mechanics.
- Disposal of waste
  - Waste is disposed of by a weekly bin removal.
  - Recycling with bi-weekly disposal
  - Sewage onsite is treated through a septic system which is located onsite.
- Water quality and surface water runoff.
  - All hard surfaces will be kept clear of any potentially hazardous materials, spills are to be cleaned up with appropriate equipment to reduce adverse effects on existing water quality.
- Contaminated water
  - Contaminated water onsite is to be treated with chlorine if required and disposed of in accordance with QLD regulations at a designated disposal facility.
- Handling and reporting environmental incidents - Detail process for handling, recording, and reporting environmental incidents.
  - All environmental incidents are to be recorded in the company's incident register and depending on the severity of the incident it will be reported to the local authority. Handling of incidents will be dependant on the nature of the incident (i.e. spill, contamination, disease).

## Project Management and Contacts

Identify the people (and provide their contact details, including after hours) responsible for:

- Implementation of and management of the Operational EMP;
  - Director – Daniel Kimberley – 0427 229 786
- Receiving the reports of monitoring, remedial action, environmental complaints and emergencies;
  - Director – Daniel Kimberley – 0427 229 786
- Ensuring that measures / action plans are implemented;
  - Director – Daniel Kimberley – 0427 229 786
- Verification, reporting and auditing of such measures / actions.
  - Director – Daniel Kimberley – 0427 229 786



---

## Monitoring and Reporting

- Detail measures to monitor the environmental aspects and/or effects resulting from the operation of the site.
  - Site's incoming water (influent), wastewater (effluent), and receiving waters (Burnett River) are to be sent away for testing by ALS Environmental Brisbane monthly.
  - Effluent water quality will be sampled on a monthly basis or upon discharge (whichever comes first). Because the facility does not continuously discharge, there will not always be effluent to be sampled weekly.
  - The following parameters are to be tested to ensure compliance with ideal operating conditions:
    - turbidity: <2 NTU
    - suspended solids: <11 mg/L
    - total nitrogen: <150 µg/L
    - oxidised N: <2 µg/L
    - ammonia N: <9 µg/L
    - organic N: <140 µg/L
    - total phosphorus: <14 µg/L
    - filterable reactive phosphorus (FRP): <3 µg/L
    - dissolved oxygen: 90 – 105% saturation
    - pH: 8.1 – 8.4
  - The following parameters will be tested Weekly on site in all systems:
    - Nitrate
    - Phosphate
    - pH
    - Salinity
    - Alkalinity
    - Magnesium
    - Calcium
- Detail record keeping process for monitoring results
  - Records of the ALS Environmental testing are to be stored on the company OneDrive and will be made available to government agencies upon request.
  - Any abnormalities will trigger a secondary investigation, diversion of effluent through bioremediation and further testing.
  - If the secondary investigation confirms contamination an investigation to the source shall be undertaken and a report will be filled with the relevant governing body.

## Environmental Complaints

- Detail measures on how environmental complaints to the operation are managed
  - Environmental complaints from an outside source will be passed onto the Director and Facility manager.

- Once received an investigation will be launched with testing to be conducted by an independent body (university or Lab) if the complaint is with regards to water.
- If the complaint is to do with a non-water issue it will be investigated and dealt with dependent on the nature of the issue.

### Environmental Incidents

- Detail how environmental incidents are recorded and managed
  - Environmental complaints from an outside source will be passed onto the Director and Facility manager.
  - Once received an investigation will be launched with testing to be conducted by an independent body (university or Lab) if the complaint is with regards to water.
  - If the complaint is to do with a non-water issue it will be investigated and dealt with dependent on the nature of the issue.

### Site Environment Induction

- Detail site induction process and how it will be managed.
  - All new employees will take on a site induction within 5 days of them starting.
  - Secondary digital induction will convey best practices via Trainual within two weeks of start date.
  - As the induction is performed criteria will be ticked off stating they have been shown areas of interest and importance including but not limited to emergency exit, fire fighting equipment, main drains, waste disposal facilities...etc.

### Auditing

- Detail the implementation of the Operational EMP and how it will be monitored for compliance
  - Auditing on the system shall be performed on an annual basis and will include noting any incidents, back tracing of incidents and procedural pathway taken.
  - All inductions are to be cross referenced with employment start dates to make sure they are within the required timeframe.
  
- Detail review process of the Environmental Management Plan
  - To be conducted on an annual basis with any recommended changes to be implemented if deemed necessary.

## Sustainability

- **Water consumption**
  - **Detail measures to reduce the consumption of potable water used**
    - Wherever possible within the facility saltwater is to be used to clean the tanks.
    - Any reported leaks are to be fixed within 1 week of being reported
    - Use of emergency water hoses is restricted to emergency situations only
  - **Detail measures to manage and monitor water usage and leaks**
    - Daily inspections around the facility are conducted and any noted leaks or puddles are traced back to the source for immediate repair.
    - Water bills are to be compared to help with detecting possible leaks.
  - **Detail measures to reduce the quantity of potable water used for landscape irrigation**
    - Trees with low water requirements have been planted onsite and the grassed areas require little to no watering.
- **Waste management**
  - **Details measures to minimise the generation of waste**
    - Wherever possible a recyclable product will be sourced with minimal to no wrapping/boxing.
    - Weekly removal of waste by local waste management
  - **Detail measures to facilitate recycling**
    - Recycling facilities are provided onsite, which are taken bi weekly by local waste management.
- **Energy management**
  - **Detail measures to manage the use and reduce the consumption of energy**
    - Natural air flow is to be utilised wherever possible
    - Lights and non-essential electronics are to be turned off whenever not in use.
    - Timers and motion sensors will be used wherever possible
  - **Detail measures to source energy from renewable sources**
    - 2x 36 kW solar systems have been installed on site to help reduce reliance on non-renewable power.
- **Fuel**
  - **Detail measures to reduce greenhouse gas emissions from operational vehicles and equipment.**
    - Vehicles and equipment are to be regularly maintained, following the manufacturers recommendations.

## **Development Assessment Rules—Representations about a referral agency response**

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

### **Part 6: Changes to the application and referral agency responses**

---

#### **28 Concurrence agency changes its response or gives a late response**

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

---

<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.



## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

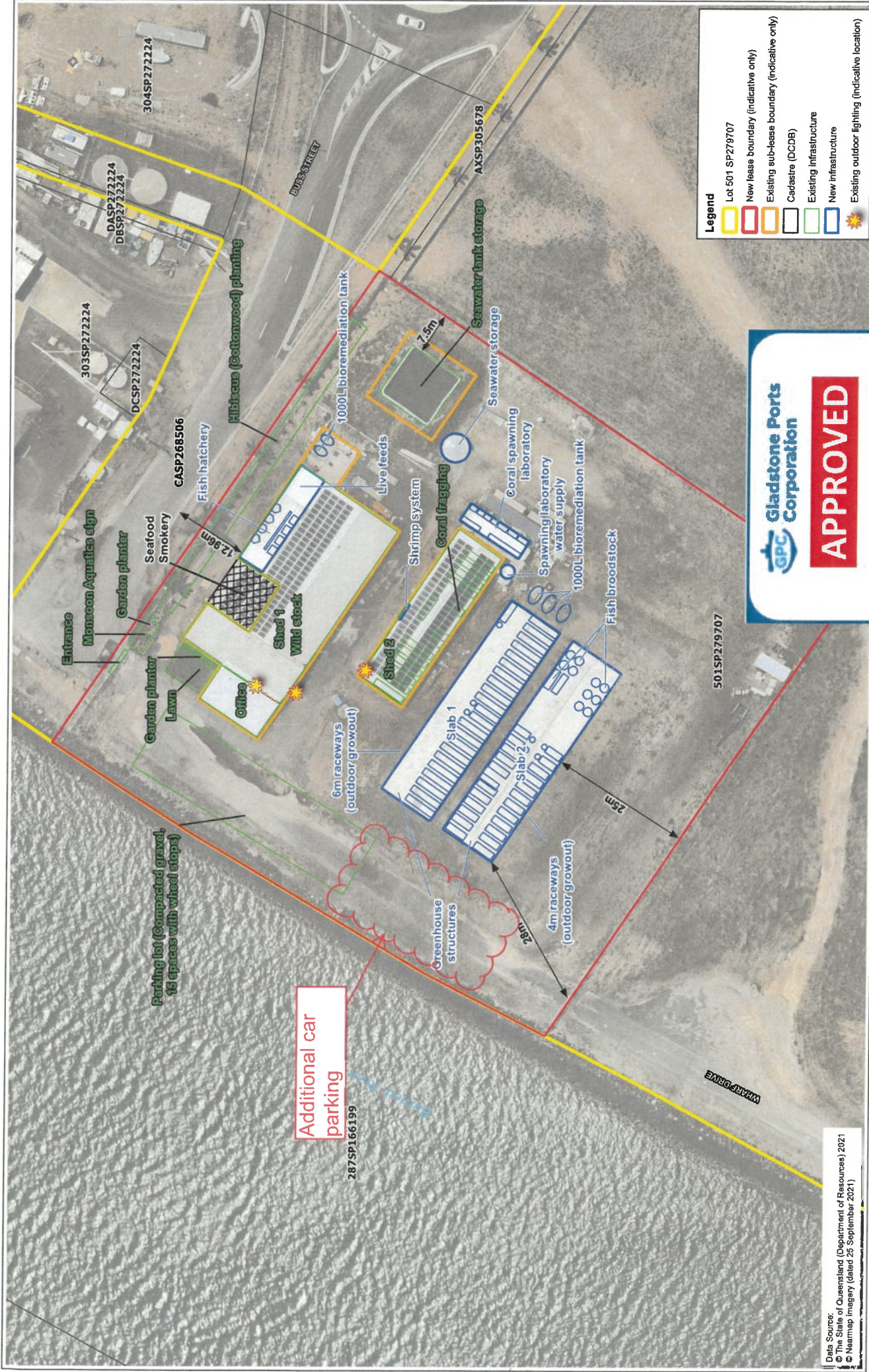
- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

---

<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

## **Attachment 2 Approved Plans and Specifications**

---



**Legend**

- Lot 501 SP279707
- New lease boundary (indicative only)
- Existing sub-lease boundary (indicative only)
- Cadastre (DCDB)
- Existing Infrastructure
- New Infrastructure
- ☀ Existing outdoor lighting (indicative location)

# APPROVED

Name: Erin Clark  
Date: 11:48am 26/05/2022

0 5 10 15 20 m  
Scale: 1:600 @ A3  
Datum: GDA2020 Projection: MGA Zone 96




Data Source:  
© The State of Queensland (Department of Resources) 2021  
© Nearmap Imagery (dated 25 September 2021)

**Monsoon Aquatics Pty Ltd**  
**Lot 501 on SP279707 145 Buss Street Burnett Heads, QLD**  
**As Amended 25.5.2022**





- Legend**
- New lease boundary (indicative only)
  - Cadastre (DCDB)
  - DB4 - New switchboard
  - DB5 - New switchboard
  - MSB - Main switchboard
  - 120mm XLPE cable within 100mm HD conduit
  - 600 mm depth excavation for 80m of conduit
  - 100mm HD conduit
  - Future conduit



APPROVED

Name: Erin Clark  
Date: 11:48am 26/05/2022

Data Source:  
 © The State of Queensland (Department of Resources) 2021  
 © Nearmap Imagery (dated 25 September 2021)



0 5 10 15 20 m  
 Scale: 1:800 @ A3  
 Datum: GDA2020 Projection: MGA Zone 56



Monsoon Aquatics Pty Ltd  
 Lot 501 on SP279707 145 Buss Street Burnett Heads, QLD  
 Figure 6  
 Electrical Supply



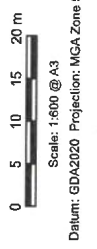


- Legend**
- New lease boundary (indicative only)
  - Cadastre (DCDB)
  - Excavation for post footings
  - Existing Settlement pit (2,900L)
  - ↑ Excavation for bioremediation
  - Excavation for electrical
  - Excavation for stormwater
  - Excavation greenhouse drainage

APPROVED

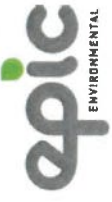
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Date: 11:48am 26/05/2022

Data Source:  
 © The State of Queensland (Department of Resources) 2021  
 © Nearmap Imagery (dated 25 September 2021)



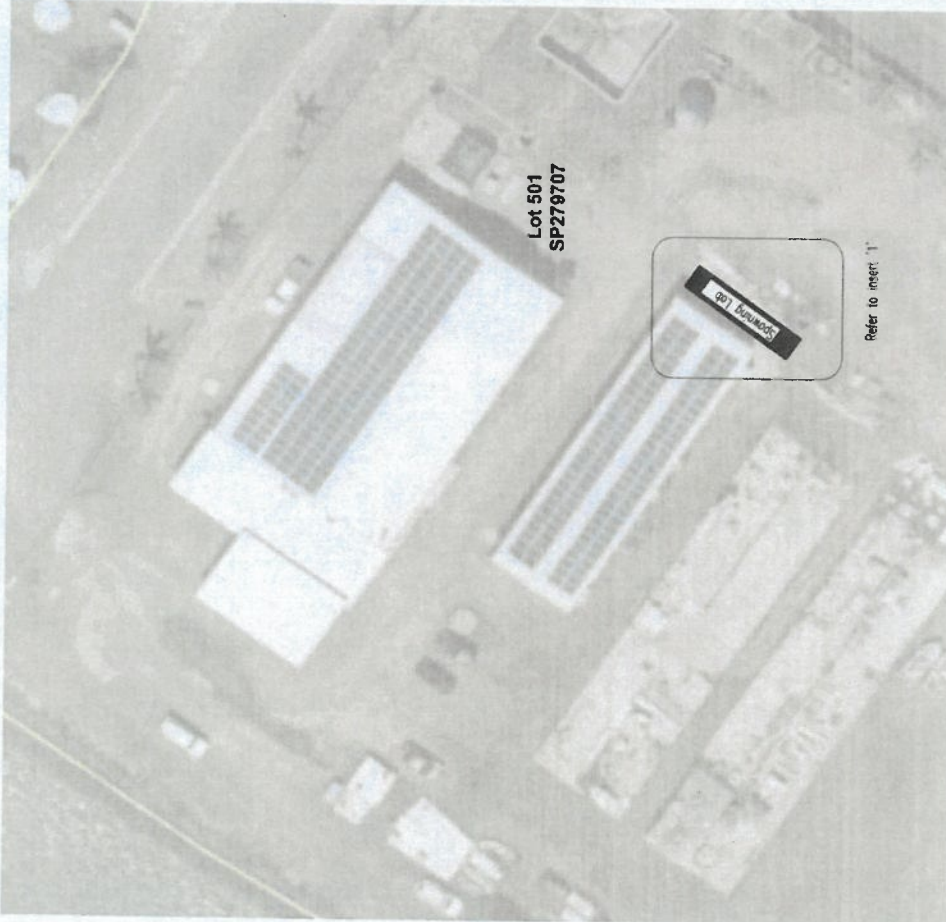
Monsoon Aquatics Pty Ltd  
 Lot 501 on SP279707 145 Buss Street Burnett Heads, QLD

DA2020/02/02 Plan 1: Works arrangement plan  
 Note: Excavation not part of this approval



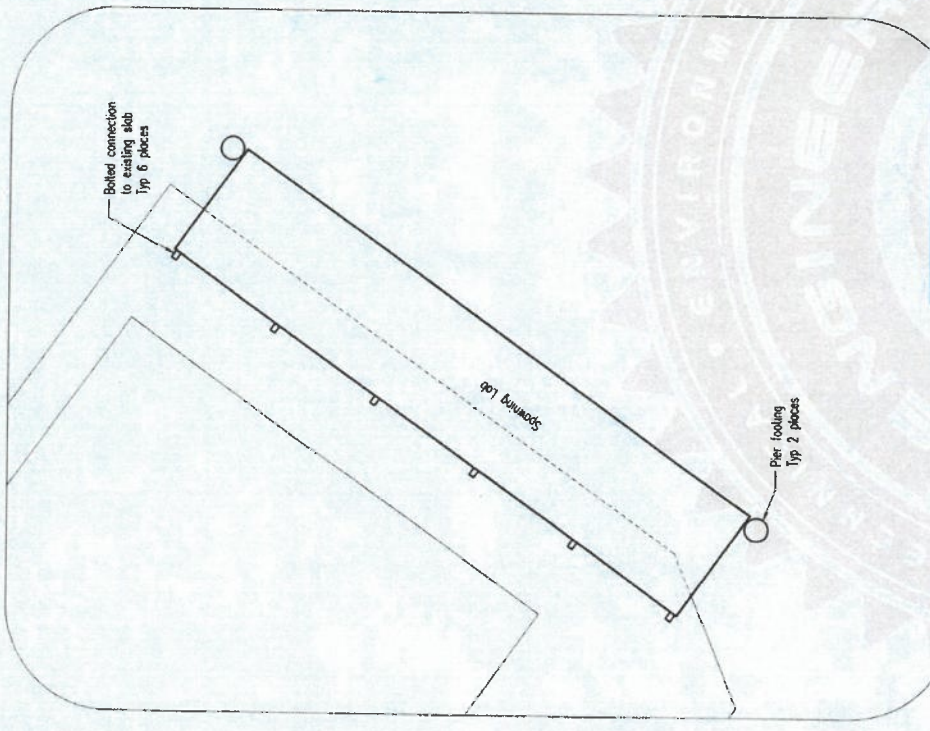


DO NOT SCALE - IF IN DOUBT ASK



Lot 501  
SP279707

Refer to insert '1'



Site Plan

Insert '1'

**GPC Gladstone Ports Corporation**

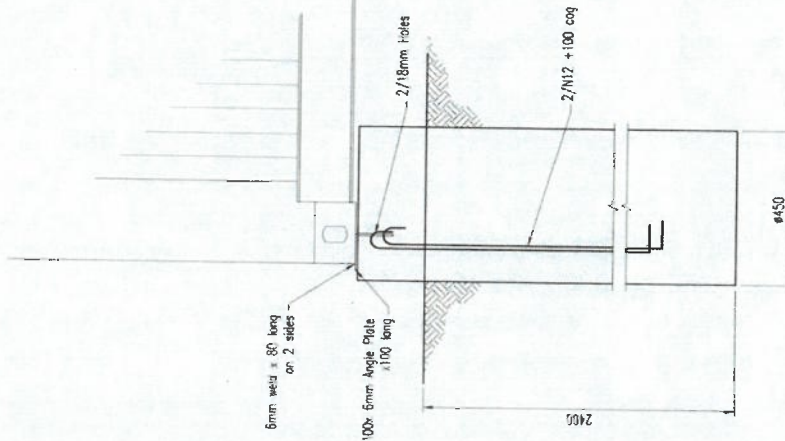
**APPROVED**

Name: Erin Clark  
Date: 11:48am 26/05/2022

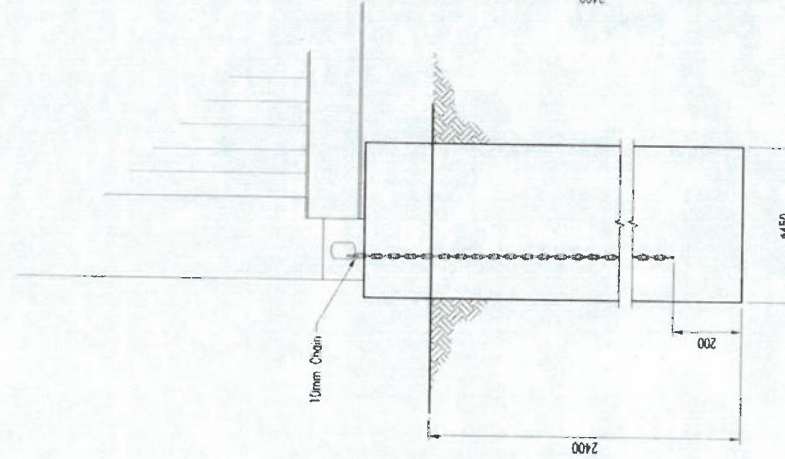
<p><b>ENGINEERS QUEENSLAND</b></p> <p>17 Flinders Pde, Gladstone Q 4680 Email: office@engalid.com.au Ph: (07) 4972 5246 www.engalid.com.au</p>		<p>Client: <b>Monsoon Aquatics</b></p> <p>Proposed: <b>Shipping container - tie down design</b> 145 Buss St Burnett Heads</p>		<p>Drawn: Ian Fawkes Date: 22/09/2021 Scale: 1:500 (A3) Checked: <i>SAS</i> Approved: <i>Paul</i></p>		<p>Drawing Name: <b>Site Plan</b></p> <p>Drawing Number: <b>BM2920D01</b></p> <p>Revision: <b>B</b></p>	
<p>© This drawing remains the property of the Engineers Queensland and may not be reproduced, distributed or manufactured from without the written permission of Engineers Queensland</p>		<p>All dimensions in millimetres U.N.O.</p>		<p>North Arrow</p>		<p>Revision</p>	
<p>23/09/2021</p>	<p>IF</p>	<p>Issued For Approval</p>	<p>22/09/2021</p>	<p>IF</p>	<p>Revised Description</p>	<p>Date</p>	<p>Rev:</p>



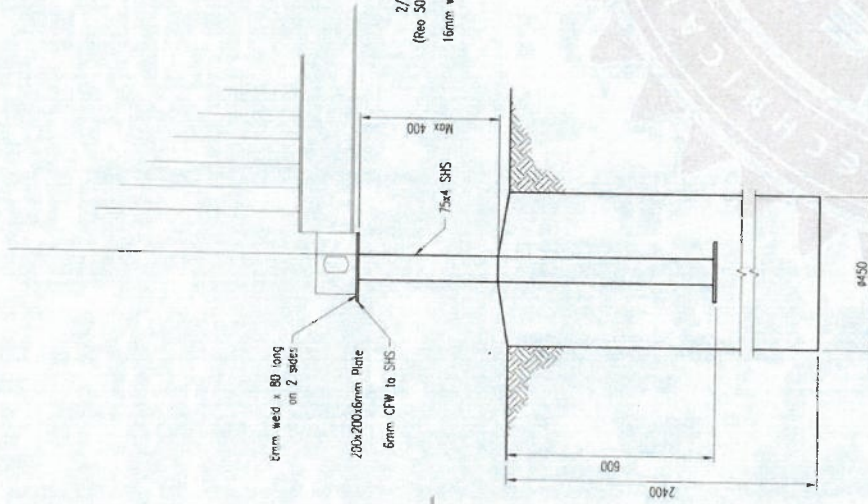
DO NOT SCALE - IN DOUBT ASK



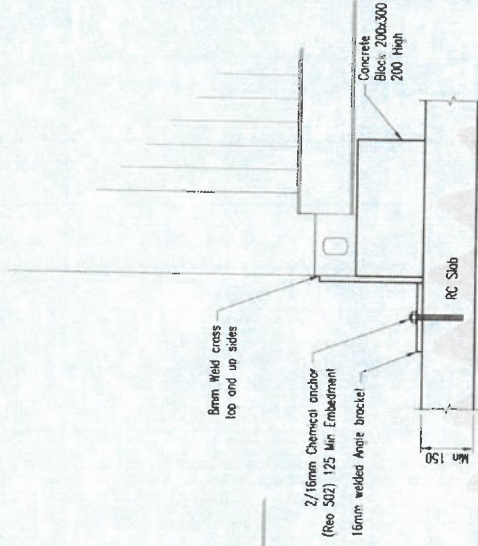
Typical Footing and Tie Down Detail  
Option '1'



Typical Footing and Tie Down Detail  
Option '2'



Typical Footing and Tie Down Detail  
Option '3'



Typical Footing and Tie Down Detail  
Where container is on top



**APPROVED**

Name: Erin Clark

Date: 11:48am 26/05/2022

**Monsoon Aquatics**

Proposed Shipping container -- tie down design  
145 Buss St  
Burnett Heads

Client	Ion Fowkes
Drawn	22/09/2021
Date	1:15 (AS)
Scale	Checked <i>SAS</i>
Checked	Approved <i>Paul</i>

All dimensions in millimetres U.N.Q.  
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17 Flinders Pde, Gladstone Q. 4680 Email: office@engqld.com.au	Ph (07) 4972 5246 www.engqld.com.au
23/09/2021	Issued For Approval
22/09/2021	Issued For Approval
Date	Revision Description
	1
	2

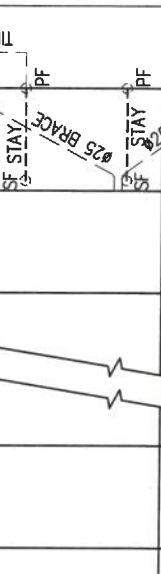
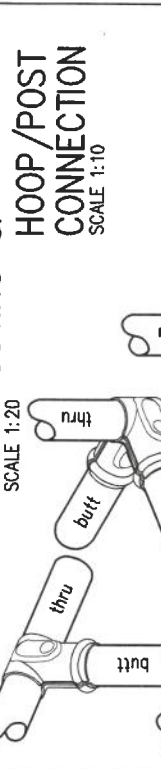
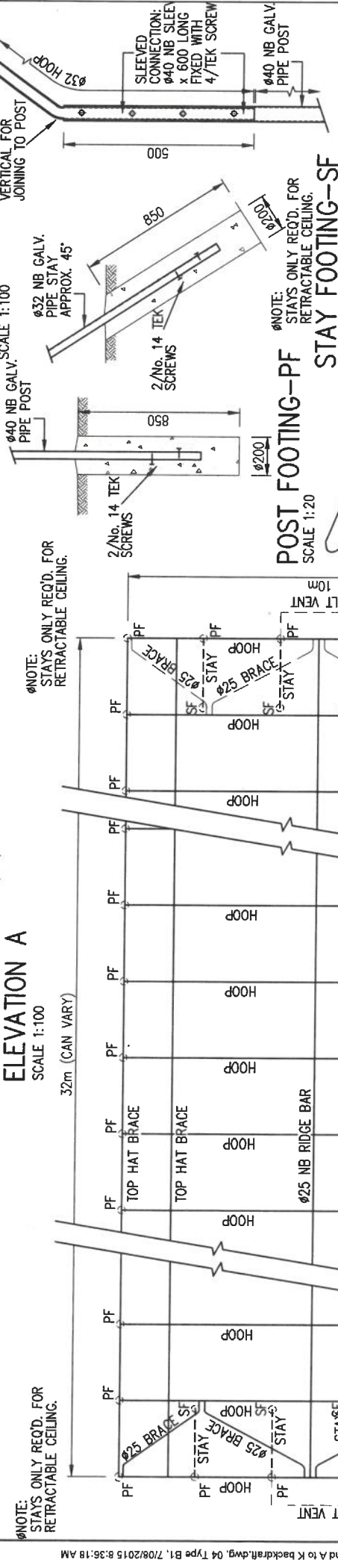
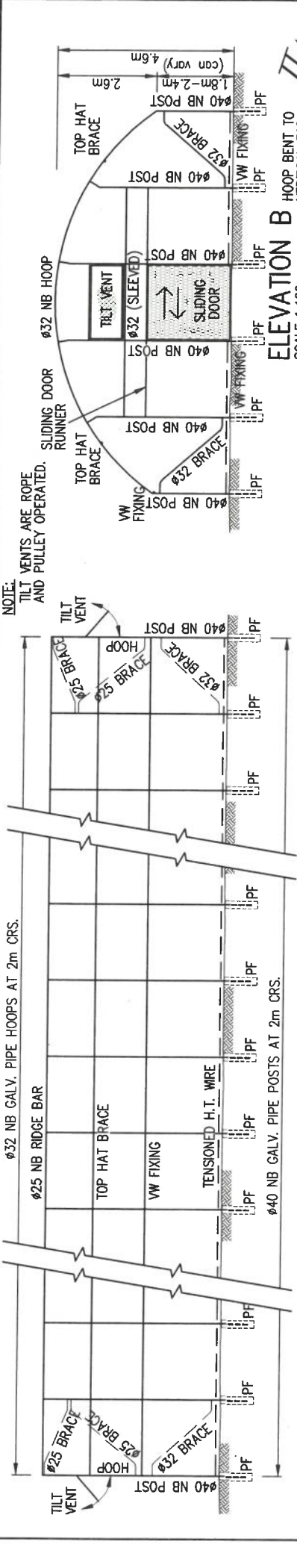
Revision	B
Drawing Name	Footing Details 1
Drawing Number	BM2920D02

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

Ph (07) 4972 5246  
www.engqld.com.au



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**APPROVED**

Gladstone Ports Corporation

Name: Erin Clark  
Date: 11/08/2015 26/05/2022

**TYPE B**

SHEET NO. 6 7 8 9 10 11 12 13

SCALE: 1:100 1:20 1:10

ISSUE PRINTED: CAD045

DRAWING NO. 071205.04B

**SUPPLIER: FERRLAND AGENCIES**

**LAYOUT PLAN**  
SCALE 1:100

**TYPE B TUNNEL HOUSE DETAILS**

**PROPOSED TUNNEL HOUSE TYPE B**

VARIOUS,

UNKNOWN TOWN, QLD.

AT

FOR UNKNOWN CLIENT

MIAURST OPENING AURL No. 29986

RPEQ No. 1476

NPER-2 No. 40467

QBSA Lic. No. 16080

1 STANLEY STREET, NAMBOUR QLD. 4560

PHONE : (07) 54412233 FAX : (07) 54763218

roy@saintconsulting.org

ISSUE	DATE	REVISION
E		
D		
C		
B		
A		



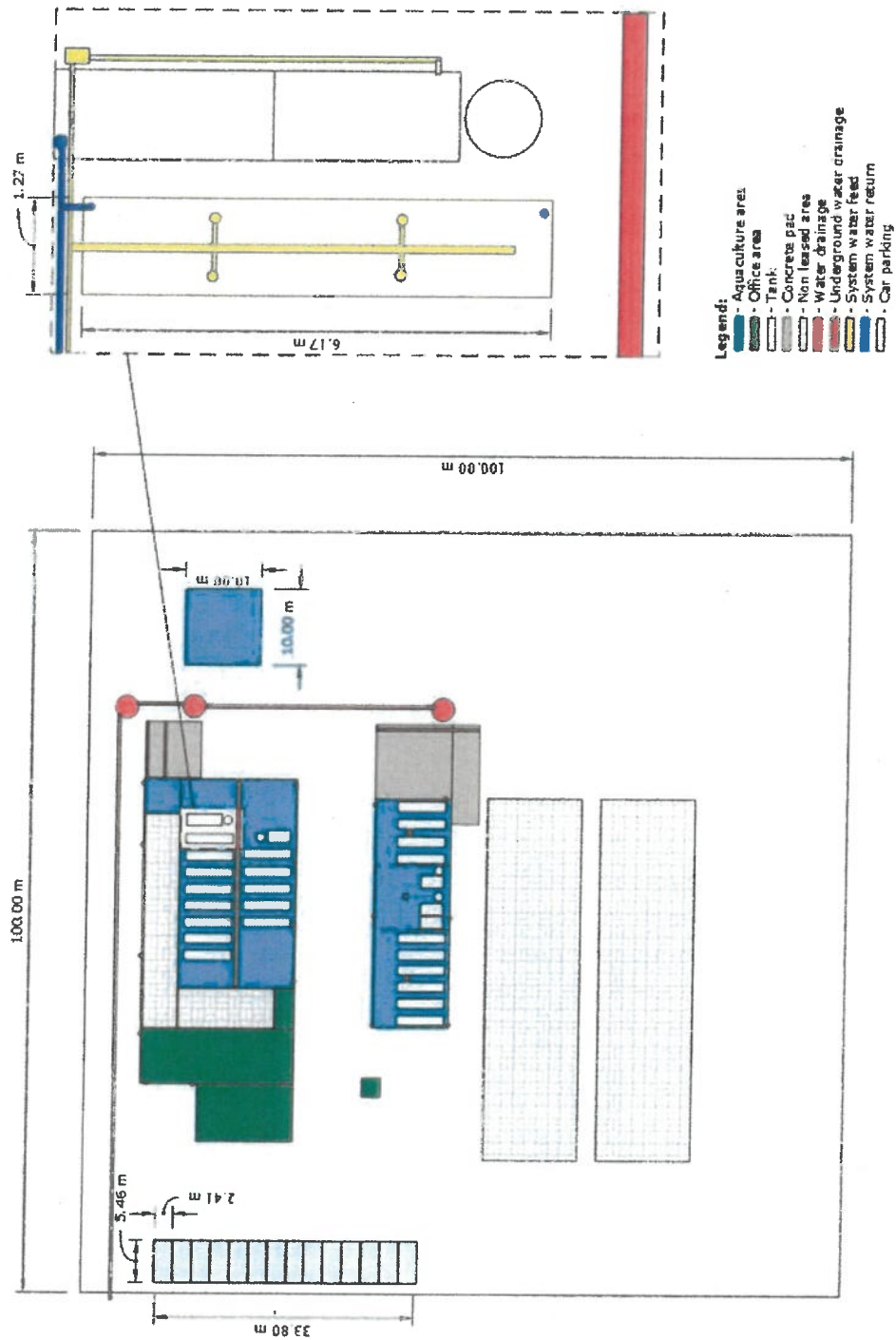


Figure 1: Proposed layout of Monsoon Aquatics Burnett Heads aquaculture site (scale 1:500mm).

**APPROVED**

*JA 19/8/20*

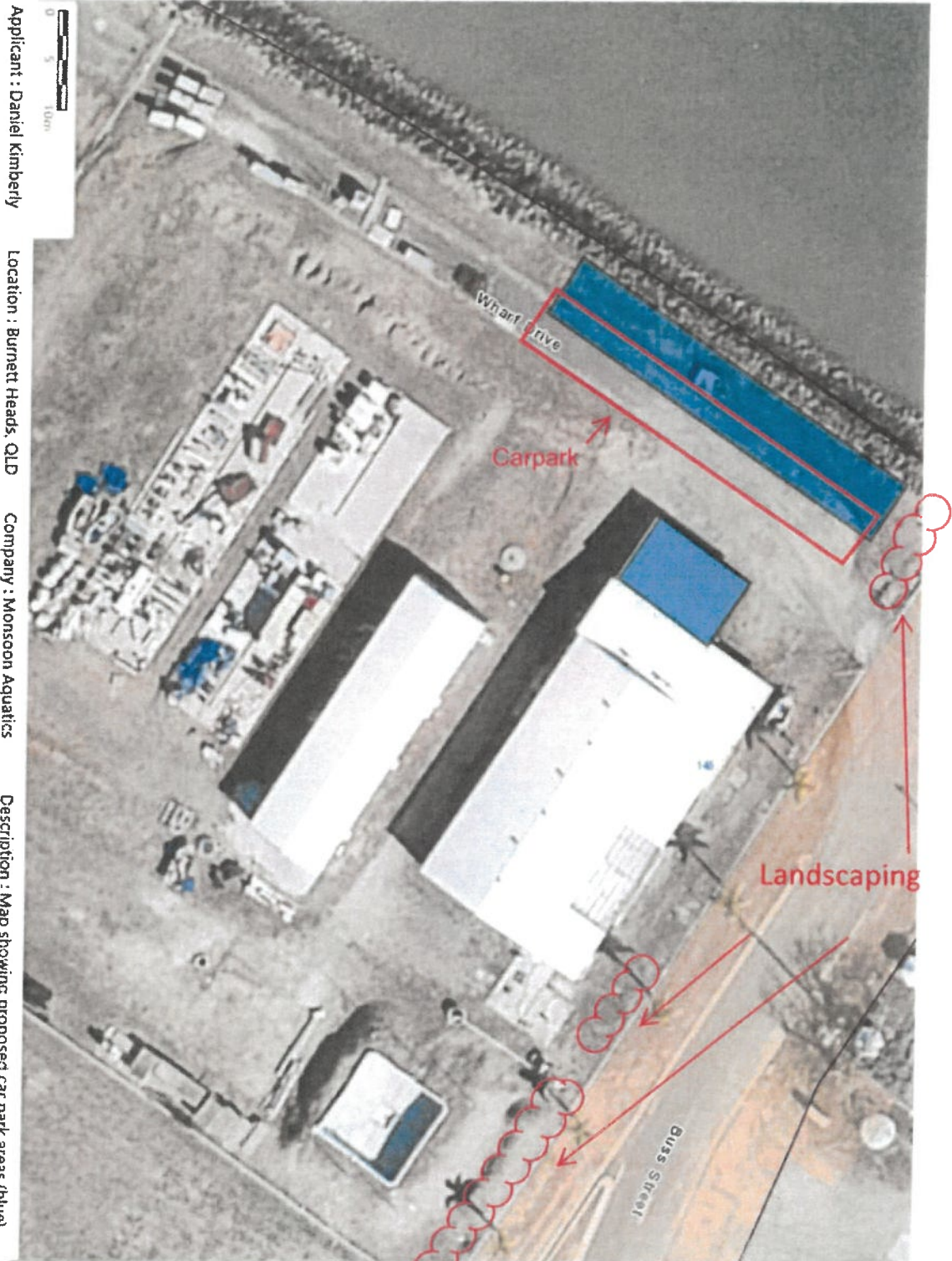


Figure 10: Site map with car parks for 19 vehicles highlighted in blue.

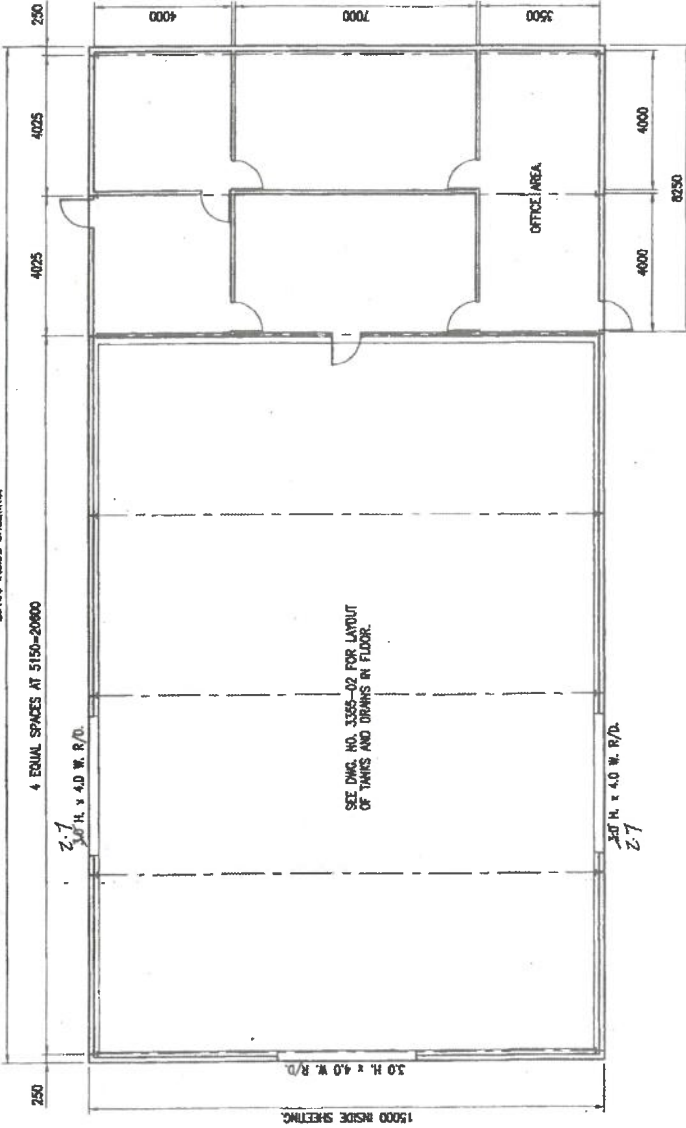
Site plan (landscaping) as amended 19/08/2020

**APPROVED**  
*19/8/20*

29150 INSIDE SHEETING.

4 EQUAL SPACES AT 5150-20690

2.7  
3.0 H. x 4.0 W. R/D.



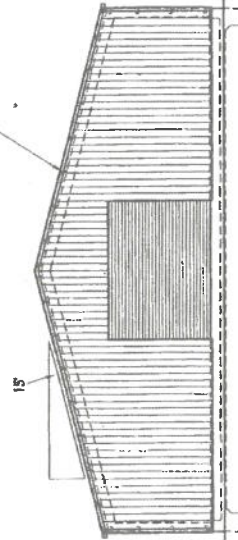
15000 INSIDE SHEETING.

SEE Dwg. NO. 3355-02 FOR LAYOUT OF TANKS AND DRAINS IN FLOOR.

OFFICE AREA

FLOOR PLAN OF BUILDING.

SEE SECTIONS ON DWG. NO. 3355-03 FOR PROFILE OF BUILDING.



END ELEVATION.



SIDE ELEVATION.

NOT APPROVED FOR CONSTRUCTION

**APPROVED**  
GA 19/8/20

Thomas W. Sealey  
P.O. BOX 1530 BUNDABERG, 4870  
PH. (07) 41531183 FAX (07) 41523958

QUEENSLAND SEA SCALLOPS.  
PROPOSED SCALLOP HATCHERY - PORT BUNDABERG  
PLAN AND ELEVATIONS OF PORTAL FRAME BUILDING.

DRAWING NO.

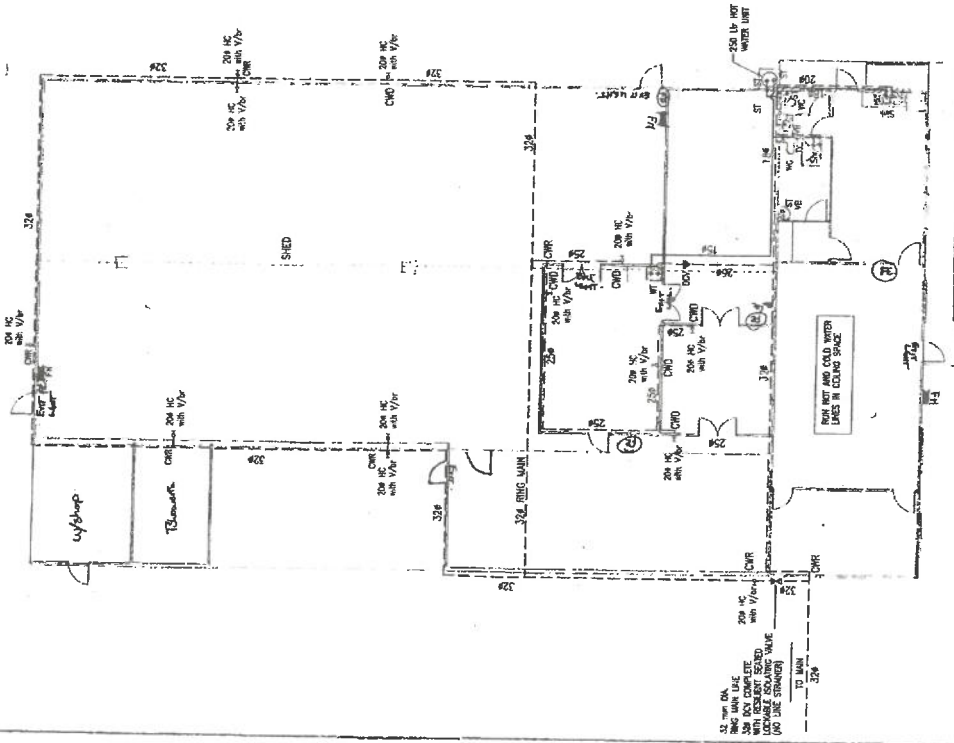
3355-04

DRAWN	G.E.W.	6/7/20	SCALE	1:100
CHECKED				
APPROVED				

NO.	DATE	REVISION	APP'D	CHK'D	DRAWN



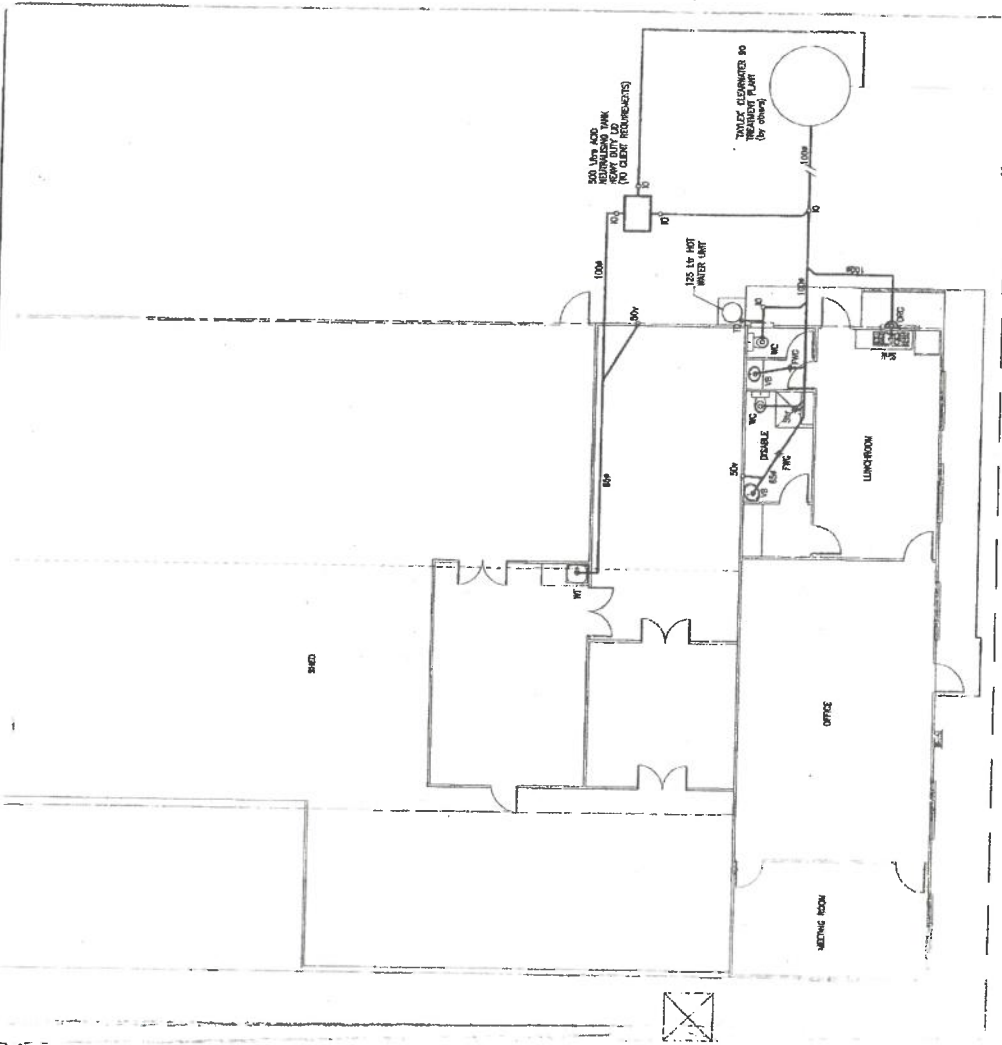
(FE) = Fire Extinguisher  
 (FH) = Fire Hydrants  
 Light = Fire Exit Light



WATER RETICULATION PLAN

NOTE:  
 PROBABLE SIMULTANEOUS  
 FLOW RATE (PSFR) = 56 Liter/sec

**APPROVED**  
 JPA 19/8/20



SANITARY DRAINAGE PLAN

LEGEND

FE	Fire Extinguisher
FH	Fire Hydrant
Light	Fire Exit Light
---	Sanitary Drainage
---	Water Reticulation
---	...

CLIENT: QUEENSLAND SEA SCALLOPS LTD PROJECT: PROPOSED OFFICES AND SCALLOP HATCHERY BUILDING		LOCATION: 145 BUSS STREET, FORT SUNDABERG	JOB NO.: 14-005 SHEET 3 OF 8 DRAWING NO.: 18069 REV.: A
DRAWN: [Signature] CHECKED: [Signature] DESIGNED: [Signature] DATE: 11/6/20	SCALE: 1:75 (A1 SIZE) FLOOR PLAN 0 1.0 2.0 3.0m	ENGINEERING & ENVIRONMENTAL CONSULTANTS PLANNERS & DESIGNERS 10/111 BUNNINGS RD, FORT SUNDABERG QLD 4810 07 5499 1234 07 5499 1234	APPROVED: [Signature] DATE: 19/8/20

## **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**

**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.

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
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	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><b>2. Change applications</b></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>			

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
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><b>3. Extension applications</b></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 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><b>4. Infrastructure charges notices</b> 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"> <li>• the incorrect application of gross floor area for a non-residential development</li> <li>• applying an incorrect ‘use category’, under a regulation, to the development</li> </ul> <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&amp;E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
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><b>5. Conversion applications</b> 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><b>6. Enforcement notices</b> 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**

Table 2 Appeals to the P&E Court only			
<p><b>1. Appeals from tribunal</b></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><b>2. Eligible submitter appeals</b></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**

**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.

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><b>4. Compensation claims</b></p> <p>An appeal may be made against—</p> <ul style="list-style-type: none"> <li>(a) a decision under section 32 about a compensation claim; or</li> <li>(b) a decision under section 265 about a claim for compensation; or</li> <li>(c) a deemed refusal of a claim under paragraph (a) or (b).</li> </ul>			



<b>Table 2 Appeals to the P&amp;E Court only</b>			
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	—	—
<b>5. Registered premises</b> An appeal may be made against a decision of the Minister under chapter 7, part 4.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent 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
<b>6. Local laws</b> An appeal may be made against a decision of a local government, or conditions applied, under a local law about— <ul style="list-style-type: none"> <li>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</li> <li>(b) the erection of a building or other structure.</li> </ul>			

<b>Table 2 Appeals to the P&amp;E Court only</b>			
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	—	—

<b>Table 3 Appeals to a tribunal only</b>			
<p><b>1. Building advisory agency appeals</b></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><b>2. Inspection of building work</b> 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><b>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></b> 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 <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><b>4. Local government failure to decide application under the Building Act</b> 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>			

<b>Table 3 Appeals to a tribunal only</b>			
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><b>5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i></b></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	—	—