

3 November 2022

Frank Leis  
7 Marina Drive  
BURNETT HEADS QLD 4670

Via: leislife@tpg.com.au

Dear Mr Leis,

## DECISION NOTICE – APPROVAL WITH CONDITIONS – DA2022/15/01

(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 **11 July 2022**.

<b>Application Number:</b>	DA2022/15/01
<b>Applicant Name:</b>	Frank Leis
<b>Applicant Contact Details:</b>	Frank Leis C/- Debbie Leis 7 Marina Drive BURNETT HEADS QLD 4670  Email: leislife@tpg.com.au
<b>Approvals Sought (Land Use Plan):</b>	Operational work not otherwise specified – for dredge material pipeline and dredge material disposal on Strategic port land.
<b>Details of Proposed Development:</b>	Dredged material pipeline and placement of dredged material in Material Relocation Area
<b>Location Street Address:</b>	7 Marina Drive BURNETT HEADS QLD 4670
<b>Location Real Property Description:</b>	Pipeline – Lot 299 RP268506, Lot 501 RP279707, Lot 300 SP268506, Lot 302 SP272224, Lot 275 SP133684  Disposal – Lots 5 & 6 RP7193, Lot 6 SP166192
<b>Land Owner:</b>	Gladstone Ports Corporation Limited

**Land Use Plan Precinct:**

- Marina precinct
- Dredge Material Placement precinct
- Port Industry
- Light industry and innovation
- Buffer and conservation precinct

## 2. Details Of Proposed Development

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Operational work not otherwise specified – for dredge material pipeline and dredge material disposal on Strategic Port land.

## 3. Details Of Decision

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This development application was **decided** on **3 November 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.

## 4. Details Of Approval

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

Operational work not otherwise specified – for dredge material pipeline and dredge material disposal on Strategic Port Land given under –

*Planning Regulation 2017, Schedule 10, part 13, division 5, subdivision 2, table 1, - code assessable IF the Port authority is the Assessment Manager.*

*Planning Regulation 2017, Schedule 8, table 3 – development completely on a single port authority's land – the Port Authority is the Assessment Manager.*

## 5. Conditions

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

## 6. Further Development Permits

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

- (a) Any relevant licenses from Department of Environmental and Science (DES);
- (b) Marine Execution Plan

## 7. Referral Agencies for the Application

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There were no referrals for this proposed development.

## 8. Approved Plans and Specifications

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

Drawing/report title	Date	Reference no.	Version / Rev
OPM Maintenance Dredge Pipeline and Tailwater Management Alignment	26/09/2022	DA2022/15/01	-

## 12. Currency Period for the Approval

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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 or other period chosen of this approval taking effect.

## 13. Rights of Appeal

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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](mailto:planning@gpcl.com.au).

Yours sincerely,



**Erin Clark**  
Principal Planner

Cc: 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

#### 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 of the following conditions which are stated by Gladstone Ports Corporation Limited, the assessment manager.

#### Part 1a: Approval sought under Port of Bundaberg Land Use Plan 2020

<b>CONDITIONS</b>
<b>GENERAL</b>
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 (the Assessment Manager) 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 15 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.
<b>ENGINEERING AND PLANNING</b>
5. Any site lighting used during the works 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
<b>INFRASTRUCTURE</b>
6. 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. The proponent must undertake

necessary repairs at their expense and to the satisfaction of the Assessment Manager (GPC).

### **CONSTRUCTION MANAGEMENT**

7. Upon completion of the use, 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.

### **ENVIRONMENT**

8. Prior to construction works commencing on site, a Dredge Management Plan (DMP) specific to these works, is to be submitted to the Assessment Manager for approval.
9. The relocation of seabed slurry material to the MRA must be undertaken in accordance with the approved DMP that ensures:
- a. flow rates are monitored and water quality assessed to achieve compliance with respective requirements;
  - b. environmental risks, including but not limited to, spills, noise, odour, lighting and potential for storm tide inundation, are identified, managed and continually assessed in relation to the placement/ installation of the land based pipeline and disposal into the MRA;
  - c. land based pipeline daily inspections for leaks, and addresses remedial action to be undertaken in the event of a leak for the pipeline and affected land;
  - d. that staff are trained and aware of their obligations under the DMP, including a copy of the DMP and development approval available on site at all times;
  - e. that reviews of environmental performance are undertaken at least annually; and
  - f. any amendments to the DMP are to be submitted to the Assessment Manager for review and approval.

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

10. No vegetation clearing is allowed as a result of the placement of the land-based dredge pipeline.

### **INCIDENT NOTIFICATION**

11. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any of the following where not in accordance with this approval:
- a. release / spill of contaminants (e.g. fuels / chemicals / sewerage / dredge material) greater than 250L to land;
  - b. release / spill of contaminants (e.g. fuels / chemicals / sewerage / dredge material) 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.

12. Environmental incident notification must be included in any Dredge Management Plans for the premises/development.

### REMOVAL OF PIPELINE

13. The dredge material pipeline must not remain permanently installed.

14. Unless otherwise approved in writing by the Assessment manager, the approved Operational Works (not otherwise specified) for the placement of the dredge material pipeline on Strategic Port Land is to be completed within six (6 months) months of the completion date of dredging activity.

### ADVICE NOTES

1. Contact is to be made with the Port of Bundaberg Manager (Jason Pascoe) to identify a suitable location for the placement of dredge material within the MRA prior to the commencement of dredging and the obtainment of applicable tenure documentation.
2. 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. Where unplanned works are required to be undertaken in the road reserve the Proponent is to contact Bundaberg Regional Council's Roads and Drainage Team for relevant permitting and licensing.
4. Where works are to be undertaken outside tenured areas, the proponent or their contractor is required to apply for and obtain a Consent to Enter from GPC's Property Specialist via 07 4976 1334 or [property@gpcl.com.au](mailto:property@gpcl.com.au) prior to works commencing.
5. 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.
6. 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](mailto:planning@gpcl.com.au), including reference to the allocated development application number.
7. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: [pfso@gpcl.com.au](mailto:pfso@gpcl.com.au), [contracted\\_security@gpcl.com.au](mailto:contracted_security@gpcl.com.au) and [gpcsupervisor@diamondprotection.com](mailto:gpcsupervisor@diamondprotection.com).

## Attachment 2 Approved Plans and Specifications

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- Legend**
- Aids to Navigation**
    - Beacon lit
    - East cardinal beacon lit
    - Lighthouse
    - Port beacon lit
    - Port buoy lit
    - Special mark buoy lit
    - Starboard beacon lit
    - Starboard buoy lit
  - Channel Centrelines**
    - 170T
    - Dashed
    - Solid
  - Channel Toelines**
  - Channel Extant**
  - Disposal Sites**
  - DCDB**
  - GPC Land Holdings Designation**
    - Strategic
    - Non Strategic
  - GPC Land Holdings Designation**
    - Future Strategic
    - Non Strategic
  - DCDB**

**APPROVED**

Name: Erin Clark  
Date: 11:22am 03/11/2022

1,083.4 0 541.68 1,083.4 Meters  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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Reference Scale Page Size: A3 1: 18,056



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Reference No DA2022/15/01  
Date 26/09/2022



## Attachment 3 Extract of Appeal Provisions

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## **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

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- (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</b> <b>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	<ol style="list-style-type: none"> <li>1 A concurrence agency that is not a co-respondent</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 Any eligible advice agency for the application</li> <li>4 Any eligible submitter for the application</li> </ol>
<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>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

<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 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></p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> <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



<b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against the decision to give an enforcement notice.			
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 local government that gave the enforcement notice	—	—

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

<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)
<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>
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			

<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)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			
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>Table 2 Appeals to the P&amp;E Court only</b>			
<p>5. Registered premises</p> <p>An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	<p>The Minister</p>	<p>—</p>	<p>If an owner or occupier starts the appeal—the owner of the registered premises</p>
<p>6. Local laws</p> <p>An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

<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>			
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 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	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval

<b>Table 3 Appeals to a tribunal only</b>			
<p>2. Inspection of building work</p> <p>An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Failure to decide an application or other matter under the Building Act</p> <p>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.</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 entity that failed to make the decision	—	—
<p>5. Failure to decide an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> 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.</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	—	—