

GPC Document No.1853161: EC: TS GPC Ref.: DA2022/18/01 Your Ref A11176

7 February 2023

Gladstone Ports Corporation Limited Jeremy Visser (BMT) Acting on behalf of GPC PO Box 203 SPRING HILL QLD 4004

Dear Mr Visser,

DECISION NOTICE - APPROVAL WITH CONDITIONS - DA2022/18/01

(GIVEN UNDER SECTION 63 PLANNING ACT 2016 AND THE PROVISIONS OF GPC LAND USE PLAN 2012 V2)

1. Application Details

This development application was **properly made** to the Gladstone Ports Corporation Limited on **14 September 2022**.

Application Number:	DA202218/01			
Applicant Name:	Gladstone Ports Corporation Limited			
	Jeremy Visser (BMT)			
	Acting on behalf of GPC			
Applicant Contact Details:	PO Box 203			
	SPRING HILL QLD 4004			
	Email: Jeremy.visser@bmtglobal.com			
Approvals Sought (Land Use Plan):	Operational works that is tidal works for removal/demolition of conveyor system from tidal structure			
Approval Sought (Port Overlay):	Operational works for tidal works in a priority port's master planned area			
Details of Proposed Development:	Removal/demolition of conveying system at Fisherman's Landing wharf which is no longer in use.			
Location Street Address:	Serrant Road, Yarwun			
Location Real Property Description:	Lot 503 SP144788 and Lot 505 SP239649			
Land Owner:	Gladstone Ports Corporation Limited			



	Department of Resources
Land Use Plan Precinct:	Wharfs and Port Industry
Port Overlay Precinct:	Port Industry and Commerce

2. Details of Proposed Development

Proposed removal/demolition of conveying system at Fisherman's Landing Wharf which is no longer in use. Works will involve the demolition of the conveying system only, with the piles and headstocks infrastructure to remain.

3. Details of Decision

This development application was decided on 7 February 2023.

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

4. Details of Approval

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

- (a) Operational works for tidal works *Planning Regulation* 2017 Schedule 10, division 4, subdivision 1 development in priority port's master planned area assessable development
- (b) Operational works that is tidal works *Planning Regulation 2017* Schedule 10, part 13, division 5, subdivision 2, table 1 code assessable development on strategic port land:
- (c) Operational works that is tidal works *Planning Regulation 2017* Schedule 8, Table 3, Column 1, strategic port land and strategic port land tidal areas

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:

(a) Material change of use of premises development application for any Temporary Dismantling Facility.

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
Operational work that is tidal works or work in a coastal management district Planning Regulation 2017 – Schedule 10, Part 17, Division 3, Table 1, Item 1	State Assessment Referral Agency - Department of State Development, Infrastructure, Local Government and Planning	Rockhampton State Assessment and Referral Agency (SARA) PO Box 113 ROCKHAMPTON QLD 4700 rockhamptonSARA@dsdmip.qld.gov.au

9. Approved Plans and Specifications

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

Drawing/report title	Prepared by	Date	Reference no.	Version
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock General Arrangement – Plan & Long Section	GHD	24/05/2011	41-23078-K211	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Offshore Anchor Bent Details Grids 14, 15 & 20, 21	GHD	24/05/2011	41-23078-K221	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Offshore Anchor Bent Details Grids 9 – 13, 16 – 19, 22 & 23	GHD	24/05/2011	41-23078-K220	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Revetment Details	GHD	19/08/2011	41-23078-K219	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Offshore Bent Details Grids 24 – 26	GHD	24/05/2011	41-23078-K218	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Berth Head – Section	GHD	24/05/2011	41-23078-K212	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Mooring – Warping Dolphins – Ladder Details	GHD	24/05/2011	41-23078-K272	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Jetty Head Pile Plan	GHD	02/11/2012	41-23078-K214	0



Drawing/report title	Prepared by	Date	Reference no.	Version
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Typical Pile Details	GHD	13/10/2011	41-23078-K216	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Walkways – WW4 WW5 Details	GHD	24/05/2011	41-23078-K264	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Typical Dolphin Details	GHD	24/05/2011	41-23078-K245	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Berthing Dolphin Typical Details	GHD	24/05/2011	41-23078-K241	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Berthing Dolphins – Ladder Details	GHD	24/05/2011	41-23078-K271	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Mooring Dolphin 2 & 3 General Arrangement	GHD	24/05/2011	41-23078-K244	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Mooring Dolphin 1 & 4 – General Arrangement	GHD	24/05/2011	41-23078-K243	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Berthing Dolphin 3 General Arrangement	GHD	24/05/2011	41-23078-K240	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Warping Dolphin 1 General Arrangement	GHD	24/05/2011	41-23078-K239	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Berthing Dolphin 2 General Arrangement	GHD	24/05/2011	41-23078-K236	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Berthing Dolphin 1 General Arrangement	GHD	24/05/2011	41-23078-K235	0
Australia Pacific LNG Pty Ltd Australia Pacific LNG Project Cell 3 – Aggregate Dock Loading Platform – Sections	GHD	02/12/2011	41-23078-K228	0
Bechtel Australia Pty Ltd – Owner Australia Pacific LNG Pty Ltd – Aggregate Loading System Instrument Location Drawing	Kinder Morgan	17/11/2021	25509-200- V1A-MH00- 00363	1
Bechtel Australia Pty Ltd – Owner Australia Pacific LNG Pty Ltd – Aggregate Loading System Instrument Location Drawing	Kinder Morgan	17/11/2021	25509-200- V1A-MH00- 00356	1
Bechtel Australia Pty Ltd – Owner Australia Pacific LNG Pty Ltd – Aggregate Loading System Instrument Location Drawing	Kinder Morgan	17/11/2011	25509-200- V1A-MH00- 00364	1



12. Currency Period for the Approval

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

(a) For approvals other than a Material Change of Use or Reconfiguring a Lot, the approval lapses if the development does not substantially start within 2 years of this approval taking effect.

13. Rights of Appeal

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

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

For further information please contact Trudi Smith, Planning Specialist on 07 4976 1314 or the undersigned on 07 4976 1287 or via email planning@gpcl.com.au.

Yours sincerely,

Erin Clark
Principal Planner

Cc: Rockhampton SARA

Enc. Attachment 1: Conditions of Approval

Part 1 – Conditions imposed by the assessment manager Part 2 – Conditions required by the referral agency response

(Rockhampton SARA - 12 January 2023)

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 GPC Land Use Plan 2012 – Operational works that is tidal work on strategic port land

CONDITIONS

GENERAL

- 1. Development must be carried out generally in accordance with the Approved plans, except where modified by conditions of this permit.
- 2. Unless otherwise stated, all conditions must be complied with and completed prior to the commencement of the development.
- 3. Where additional "approval" is required under these conditions by the Assessment Manager (GPC) for drawings or documentation the proponent must submit for review, amend to the satisfaction of, and obtain written approval from the Assessment Manager. The Assessment Manager will require no less than 20 business days, unless otherwise conditioned, to assess the drawings or documentation provided prior to the commencement of the works.

WORKS MANAGEMENT

- 4. Upon completion of the works, submit to the Assessment manager in writing, confirmation that the marine facility structures have been removed in accordance with the Approved plans.
- 5. At all times, maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance. Waste generated by demolition activities must be disposed/recycled off-site and dismantled at an appropriate Temporary Dismantling Facility approved by GPC, unless otherwise approved in writing by the Assessment Manager.
- 6. Unless otherwise agreed to in writing by the Assessment Manager, prior to construction works commencing on site, a final Construction Traffic Management Plan (CTMP) specific to the construction works being undertaken must be submitted to the Assessment Manager for approval. The CTMP must also consider the movement of waste/ discarded material by vehicle.
- 7. Prior to works commencing on site, the proponent is required to prepare and submit for review by the Assessment Manager a Marine Execution Plan (MEP) (or equivalent) and a Notice to Mariners that details the following:
 - a. Nature and scope of the operations to be undertaken
 - b. Forecasted start and end dates
 - c. Hours of work
 - d. General demolition methodology overview
 - e. Name of principal barges, marine equipment involved and a barge mooring plan
 - f. Extreme weather contingency plans
 - g. 24/7 point of contact to ensure timely communication with MSQ's vessel traffic service centres during extreme weather and other maritime emergencies.



- 8. Prior to works commencing on site, a fauna inspection is to be undertaken to ensure that roosting is not occurring on the conveyor. The proponent must ensure that any fauna removal (including nests, eggs, fledgling) are undertaken in accordance with the requirements of the *Nature Conservation Act* 1992 (Qld), and via a 'damage mitigation permit' as required.
- 9. In the event a compound is required on port land outside the project lease area for offices, laydown areas, employee car parking or stockpiling areas etc., the proponent or their contractor must obtain a Consent to Enter from the GPC's Property Specialist via 07 4976 1334 or property@gpcl.com.au prior to works commencing.
- 10. The compound, including offices, laydown areas and employee car parking, is to be contained within the nominated area on approved plans relating to this development, unless otherwise approved in writing by the Assessment Manager.
- 11. No mud, dirt or other debris is to be tracked onto public roads during de-construction.

ENGINEERING AND PLANNING

- 12. The proponent is required to apply for and obtain from the Assessment Manager a Permit to Dig/Excavate prior to commencing works, by contacting Port Infrastructure Asset Manager. All reasonable measures must be taken to identify and protect existing services recorded or otherwise, and where necessary the proponent will submit a plan to the Assessment Manager for approval to adjust any existing services found during this excavation that was not originally shown on the proposed plans
- 13. Prior to works commencing on site, a detailed earthworks plan is to be provided to the Assessment Manager for approval. The plan is to show best practice erosion and sediment control provisions, the extent of the proposed earthworks, the location of existing infrastructure i.e. electrical and the finished levels of the proposed works.
- 14. Upon completion of the works, the proponent must supply the Assessment Manager with RPEQ certified "As Constructed" plans in both hard copy (2 of) and electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port land associated with the activity
- 15. Any site lighting used during demolition 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. Where an issue is identified or a validated complaint received, the proponent must immediately rectify to the satisfaction of the Assessment Manager.
- 16. Prior to works commencing, the proponent must ensure all details of proposed mitigation measure/s to reduce skyglow from all external lighting associated with the development has been documented and are available for review by the Assessment Manager for review.

INFRASTRUCTURE

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

WASTE MANAGEMENT

18. Any spillage of sediment, wastes, fuels, chemicals, contaminants, or other materials at the storage site, on port roads or on the wharf must be cleaned immediately. Such spillage must not be cleaned



up by hosing, sweeping or otherwise releasing such materials to any stormwater drainage system, roadside gutters or waters.

TIDAL WORKS

- 19. Any material which is deposited or any debris which falls or is deposited on tidal lands or into tidal waters during the construction of the approved development shall be removed by the applicant at their cost and expense. The applicant is to notify the Assessment Manager if any material or debris is deposited.
- 20. Upon completion of construction, the applicant shall provide the Assessment Manager with written confirmation that the seabed is clear of foreign materials.
- 21. If, as a result of the works, or other cause attributable to the proponent, any Port bank or tidal structure is displaced, the proponent at its cost and expense shall restore the bank or structure to its former condition and take such other action as is necessary to ensure the stability of the bank or structure to the satisfaction of the Regional Harbour Master or Assessment Manager (as applicable).

Note: this may be achieved by RPEQ certification that the restored bund wall is consistent with previous approvals for the tidal structure.

ACID SULPHATE SOILS

22. 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

- 23. Prior to works commencing on site an Environmental Management Plan (EMP) specific to this application and its associated works must be submitted to the Assessment Manager (GPC) for approval, that ensures:
 - (a) environmental risks, including but not limited to, water, air, land, biodiversity, waste and community are identified, managed and continually assessed in relation to the activity;
 - (b) that staff are trained and aware of their obligations under the EMP, a copy of which must be kept and available on site at all times;
 - (c) that reviews of environmental performance are undertaken at least annually; and
 - (d) any amendments to the EMP are to be submitted to GPC for review and approval.

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

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

INCIDENT NOTIFICATION

- 24. Gladstone Ports Corporation's Environmental Hotline (07) 4976 1617 must 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. environmental complaints received by the holder of this application;
- d. non-compliance with conditions of this application or any other environmental approval obtained in relation to the approved activity.
- 25. Environmental incident notification must be included in any Environmental Management Plans for the premises/development.

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 development approval does not apply to the area proposed to be used for the temporary dismantling facility.
- The development must be appropriately designed and constructed to mitigate potential adverse impacts to port operations, services and facilities, and to maintain safe navigable access within Port Limits
- 4. Where the Applicant is required to submit further documentation to the Assessment Manager, this is to be directed to the Planning section at planning@gpcl.com.au including reference to the allocated development application number.
- 5. Where a construction compound, laydown area or acid sulphate soil treatment site is required, 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 prior to works commencing.
- 6. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any development application for the temporary dismantling facility area.
- 7. Where a Permit to Dig/Excavate prior to commencing excavation or digging for the development, the proponent or their contractor is required to apply for and obtain the permit by contacting the Port Infrastructure Asset Manager on 4976 1332 or bartono@gpcl.com.au.
- 8. Where communication with GPC Port Security is required e.g. for schedules or service requests, direct communication to the following: pfso@gpcl.com.au, contracted_security@gpcl.com.au and gpcsupervisor@diamondprotection.com.



PART 2: REFERRAL AGENCY CONDITIONS

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

and Planning



SARA reference: 2209-31151 SRA
Council reference: DA2022/18/01
Applicant reference: A11176-Conveyor

12 January 2023

Chief Executive Officer
Port of Gladstone Ports Corporation Limited
PO Box 259
GLADSTONE QLD 4680
planning@gpcl.com.au

Dear Sir/Madam

SARA response—Bryan Jordan Drive, Callemondah; Serrant Road, Yarwun

(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 10 October 2022.

Response

Outcome: Referral agency response – with conditions.

Date of response: 12 January 2023

Conditions: The conditions in **Attachment 1** must be attached to any

development approval.

Advice: Advice to the applicant is in **Attachment 2**.

Reasons: The reasons for the referral agency response are in **Attachment 3**.

Development details

Description: Development permit Operational work for Removal of a

conveyor system from a tidal structure

SARA role: Referral Agency.

SARA trigger: Schedule 10, Part 17, Division 3, Table 1, Item 1 (Planning Regulation

2017)

Operational work that is tidal works

Fitzroy/Central regional office Level 2, 209 Bolsover Street, Rockhampton

Page 1 of 7

PO Box 113, Rockhampton QLD 4700

Schedule 10, Part 17, Division 3, Table 1, Item 1 (Planning Regulation

2017)

Operational work that is tidal works

SARA reference: 2209-31151 SRA

Assessment Manager: Port of Gladstone Ports Corporation Limited

Street address: Bryan Jordan Drive, Callemondah; Serrant Road, Yarwun

Real property description: Lot 503 on SP144788; Lot 505 on SP239649

Applicant name: Gladstone Ports Corporation

C/- Jeremy Visser (BMT) - acting on behalf of GPC

Applicant contact details: PO Box 203

Spring Hill QLD 4004

Jeremy.Visser@bmtglobal.com

Representations

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 (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 Thomas Gardiner, Principal Planning Officer, on 07 4924 2916 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Luke Lankowski

Manager, Planning - Wide Bay Burnett

cc Gladstone Ports Corporation, Jeremy. Visser@bmtglobal.com

enc Attachment 1 - Referral agency conditions

Attachment 2 - Advice to the applicant

Attachment 3 - Reasons for referral agency response

Attachment 4 - Representations 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				
Opera	Operational work					
2016 enforc	Schedule 10, Part 17, Division 3, Table 1, Item 1 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science 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):					
1. The Wharf FL3 Conveyor removal must be carried out generally in accordance with Section 2.2 and Figure 2-1 of the Conveyor Removal of Wharf FL3 Conveyor Removal Approval Application Supporting Material, prepared by BMT Commercial Australia Pty Ltd, dated 8 September 2022, reference A11176, version 01, as amended in red by SARA.						
2.	For any construction associated with the Wharf FL3 Conveyor removal, only use clean materials which are free from prescribed water contaminants.	For the duration of the works.				
3.	Submit "As constructed drawings" of the piles and headstocks associated with the structure following demolition to palm@des.qld.gov.au or mail to: Department of Environment and Science Permit and Licence Management GPO Box 2454	Within 20 business days of the completion of the works.				
4.	Remove the entire Wharf FL3 Conveyor.	Within three (3) months of the commencement of demolition.				

Attachment 2—Advice to the applicant

General advice

1. Terms and phrases used in this document are defined in the *Planning Act 2016* its regulation or the State Development Assessment Provisions (SDAP) [v3.0]. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for SARA's decision are:

- The development is for the removal of a conveying system located at Fisherman's Landing Wharf, in the Port of Gladstone, on land described as Lot 503 on SP144788 and Lot 505 on SP239649.
- The assessment benchmarks which are relevant to SARA's assessment are the State Development Assessment Provisions (SDAP):
 - State code 7: Maritime safety (State code 7).
 - State code 8: Coastal development and tidal works (State code 8).
- The development is considered to comply with SDAP State code 7, without conditions.
- The development is considered to comply with SDAP State code 8, subject to conditions.

Material used in the assessment of the application:

- The development application material and submitted plans
- Planning Act 2016
- Planning Regulation 2017
- The State Development Assessment Provisions (version [3.0]), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system
- Human Rights Act 2019

Attachment 4—Change representation provisions

(page left intentionally blank)

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 Rules¹ 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.²
- 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.

Pursuant to Section 68 of the *Planning Act 2016*

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.³

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 5—Approved plans and specifications

(page left intentionally blank)



Wharf FL3 Conveyor Removal

Approval Application Supporting Material



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2209-31151 SRA

Date: 12 January 2023

Customer Project Deliverable Version Gladstone Ports Corporation

A11176 006 01

8 September 2022



BMT (OFFICIAL)

Document Control

Document Identification

Title	Wharf FL3 Conveyor Removal
Project No	A11176
Deliverable No	006
Version No	01
Version Date	8 September 2022
Customer	Gladstone Ports Corporation
Customer Contact	Gordon Dwane
Classification	BMT (OFFICIAL)
Synopsis	Supporting material for an application for a Development Permit to remove the conveyor at Wharf FL3, Fisherman's Landing
Author	Jeremy Visser
Reviewed By	Lisa McKinnon
Project Manager	Jeremy Visser

Amendment Record

The Amendment Record below records the history and issue status of this document.

Version	Version Date	Distribution	Record
00	18 July 2022	Gladstone Ports Corporation	Draft Report
01	08 September 2022	Gladstone Ports Corporation	Revised Report

This report is prepared by BMT Commercial Australia Pty Ltd ("BMT") for the use by BMT's client (the "Client"). No third party may rely on the contents of this report. To the extent lawfully permitted by law all liability whatsoever of any third party for any loss or damage howsoever arising from reliance on the contents of this report is excluded. Where this report has been prepared on the basis of the information supplied by the Client or its employees, consultants, agents and/or advisers to BMT Commercial Australia Pty Ltd ("BMT") for that purpose and BMT has not sought to verify the completeness or accuracy of such information. Accordingly, BMT does not accept any liability for any loss, damage, claim or other demand howsoever arising in contract, tort or otherwise, whether directly or indirectly for the completeness or accuracy of such information nor any liability in connection with the implementation of any advice or proposals

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



i, or are derived from such information. BMT does not give any as any advice or proposals contains, or is derived from, or sept any liability whatsoever for the implementation of any advice out under its control or in a manner which is consistent with its

SARA ref: 2209-31151 SRA

Date: 12 January 2023



BMT (OFFICIAL)

Contents

1 Introduction4					
2 Project Ba	ackground and Description	5			
2.1 Wharf FL	3	5			
2.2 Conveyo	r Removal	5			
2.3 Agency E	Engagement and Approvals Pathway	7			
3 Planning	and Environmental Assessment	8			
3.1 Planning	Context	8			
3.2 Benchma	ark Assessment	10			
3.3 Conclusio	on	12			
Annex A	Assessment Benchmarks	A-1			
Annex B	FL3 Wharf and Conveyor Drawings	B-1			
Annex C	FL3 Conveyor and Wharf Photo Pack	C-1			
Tables					
Table 3.1 De	evelopment Permit assessment requirements for the proposed conveyor rer	moval8			
Table 3.2 Assessment of works against LUP locality and precinct listed intent, outcomes and uses11					
Table 3.3 Assessment of works against Port Overlay for Priority Port of Gladstone port, industry and commerce precinct code purposes and outcomes					
•	esponses to Table 13 of Port Overlay for Priority Port of Gladstone: Port, in				
	recinct code				

Figures

Figure 2.1 Wharf FL3 location	6
Figure 3.1 Land use mapping for Fisherman's Landing under Port of Gladstone LUP	9
Figure 3.2 Port, industry and commerce precinct under Port of Gladstone port overlay, including	
Fisherman's Landing	10

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2209-31151 SRA

Date: 12 January 2023

Amended in red by SARA on 12 January 2023

BMT (OFFICIAL)

Project Background and Description

2.1 Wharf FL3

Fisherman's Landing is a multi-user, multi-product facility that sits at the northern end of the Port of Gladstone, opposite the liquified natural gas (LNG) precinct on southern Curtis Island. The locality is approximately 10 km north of Gladstone City. For the past decade the area has been subject to significant expansion as part of a major reslamation project. This has been designed to provide additional area for future port industry.

Fisherman's Landing Wharf No. 3 (FL3) is one of four existing wharfs at Fisherman's Landing. The wharf was originally constructed by Australia Pacific LNG (APLNG) to support the construction of the APLNG facility on Curtis Island. This was constructed under Development Permit DA2010/29 for Operational Works that are Tidal Works.

After construction of the APLNG facility, FL3 was no longer required and was handed over to GPC as a new asset. Since this time, the conveyor has not been in used (>10 years) and there are no immediate prospects for farther use of the conveyor infrastructure.

The location of FL3 is shown in Figure 2.1. Drawings of the wharf and conveyor are provided in Annex B while photos are provided in Annex C.

2.2 Conveyor Removal

GPC now intends to remove the conveyor from FL3 but will retain the underlying wharf structure. This will allow for potential future repurposing of the wharf, although no specific change of use is proposed at present.

The removal of the conveyor will consist of the following actions:

- All superstructure above the piles and headstocks is to be taken off. This is to say all the deck, conveyor belts, drive motors, gantries, transfer house and ship loader structures will be removed.
- On shore the remainder of the conveyor assembly, truck tip off ramp and hopper bin station is also to be removed.
- Typically, the conveyor structure will be cut into suitable sections able to be lifted as one piece and transferred by floating crane to attendant barge. These sections will be transported to shore for repurposing or scrapping.
- The contractor is to supply all necessary floating plant, cranes, rigging equipment and skilled trades necessary to complete the work safely.

The removal works will involve a combination of in-water and onshore works but will not require the use of any temporary structures within the water.

Following removal, the structure remaining will be the piles and headstocks only.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



12 January 2023

Amended in red by SARA on

SARA ref: 2209-31151 SRA

Date: 12 January 2023

8 September 2022





Cadastral Boundaries

Wharf FL3 location

BMT endeavours to ensure that the information provided in this map is correct at the time of publication. BMT does not warrant, guarantee or make representations regarding the currency and accuracy of information contained in this map.



200 m

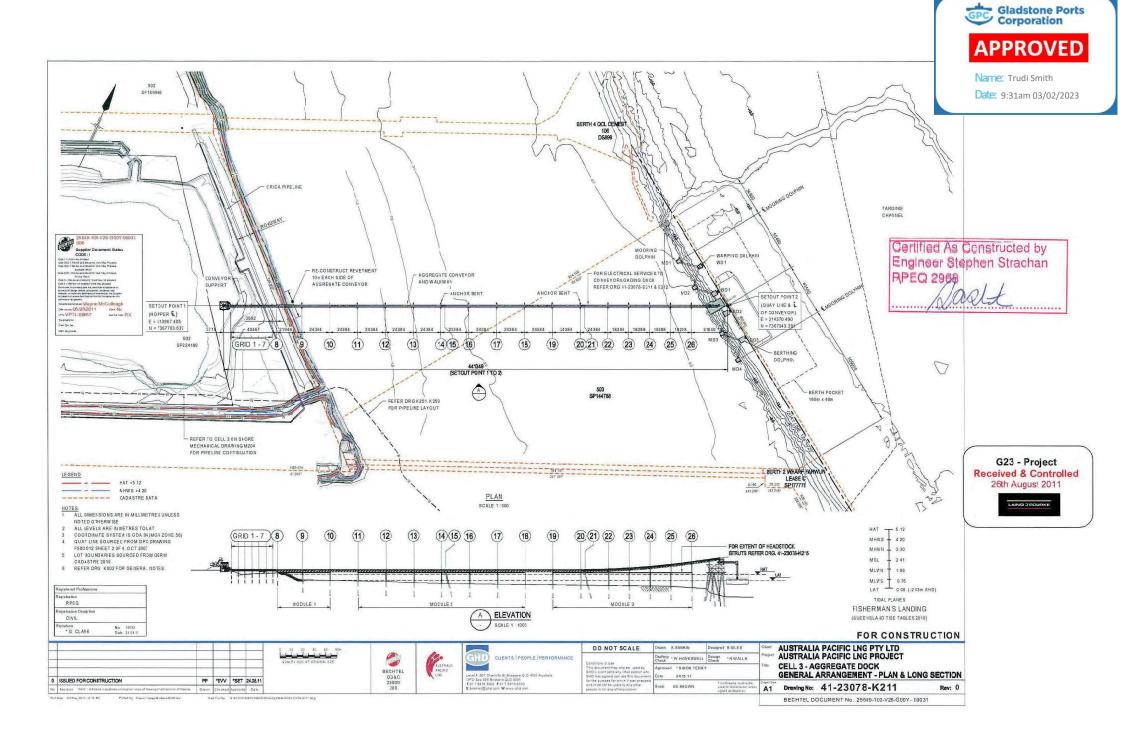
2-1

www.bmt.org

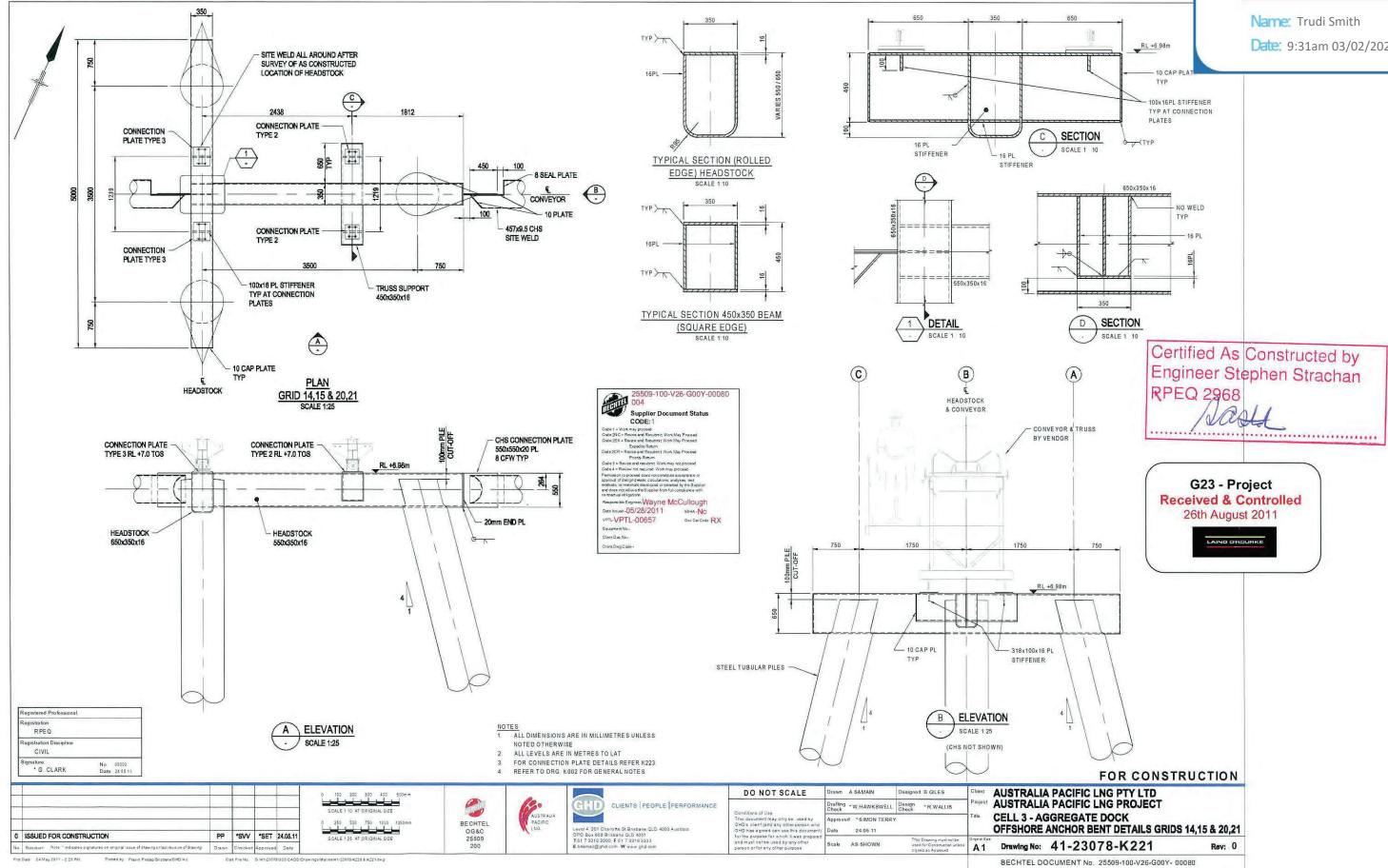
Filepath: I:\A11176_I_GML_PortofGladstoneDredgingApproval\QGIS\A11176_003_Wharf_FL3_Location.qgz

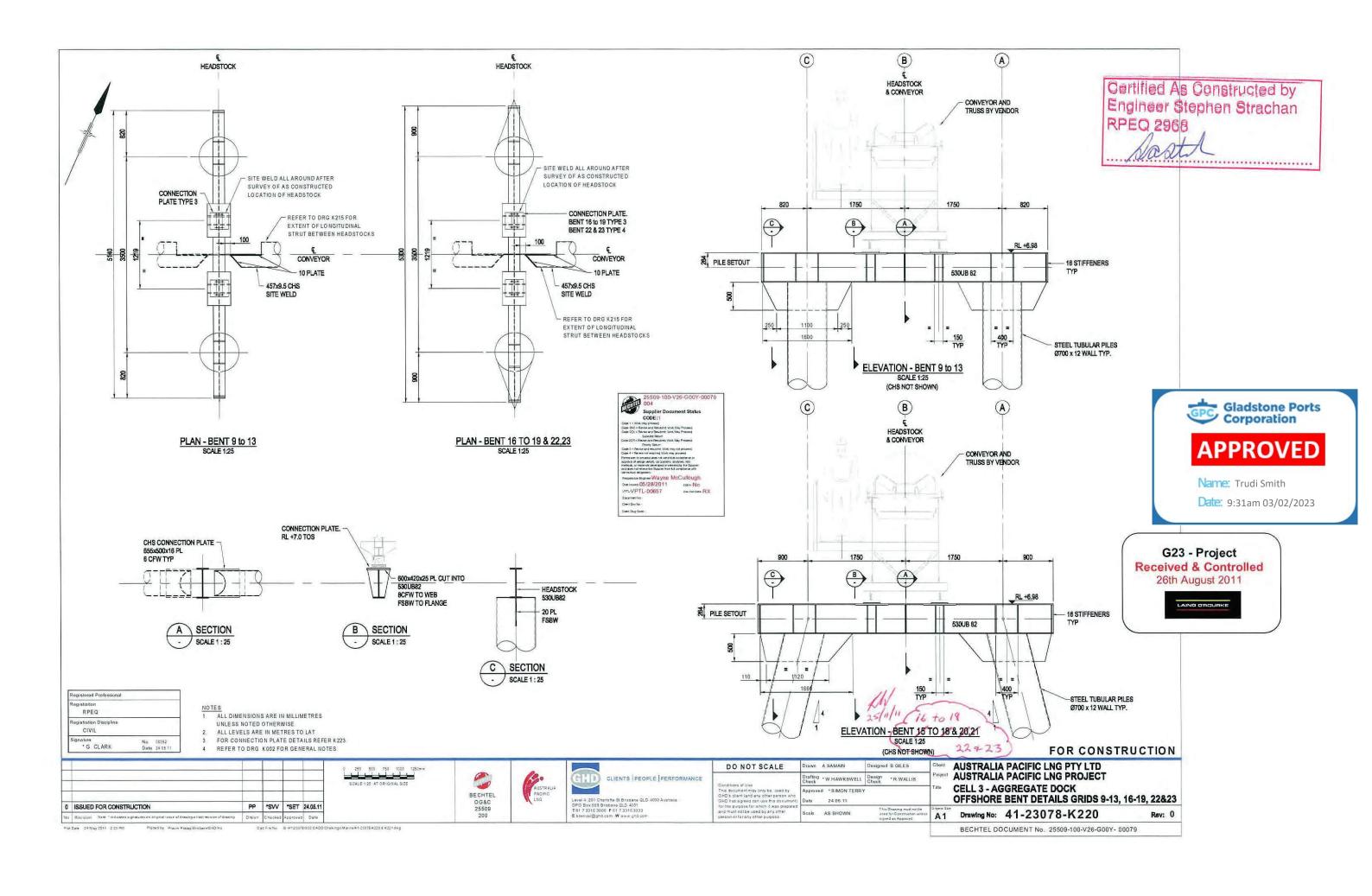


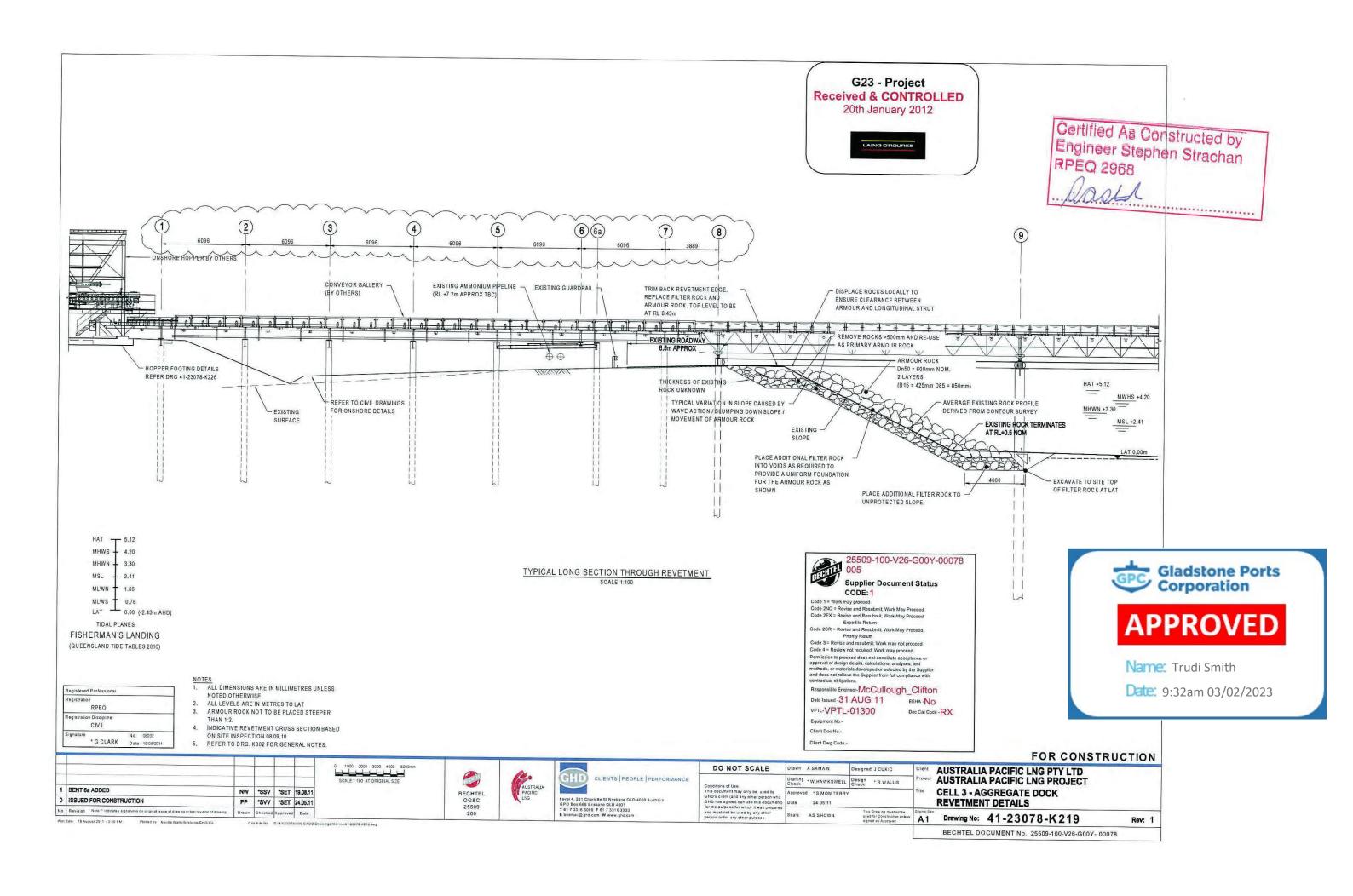
Approved Plans and Specifications Attachment 2

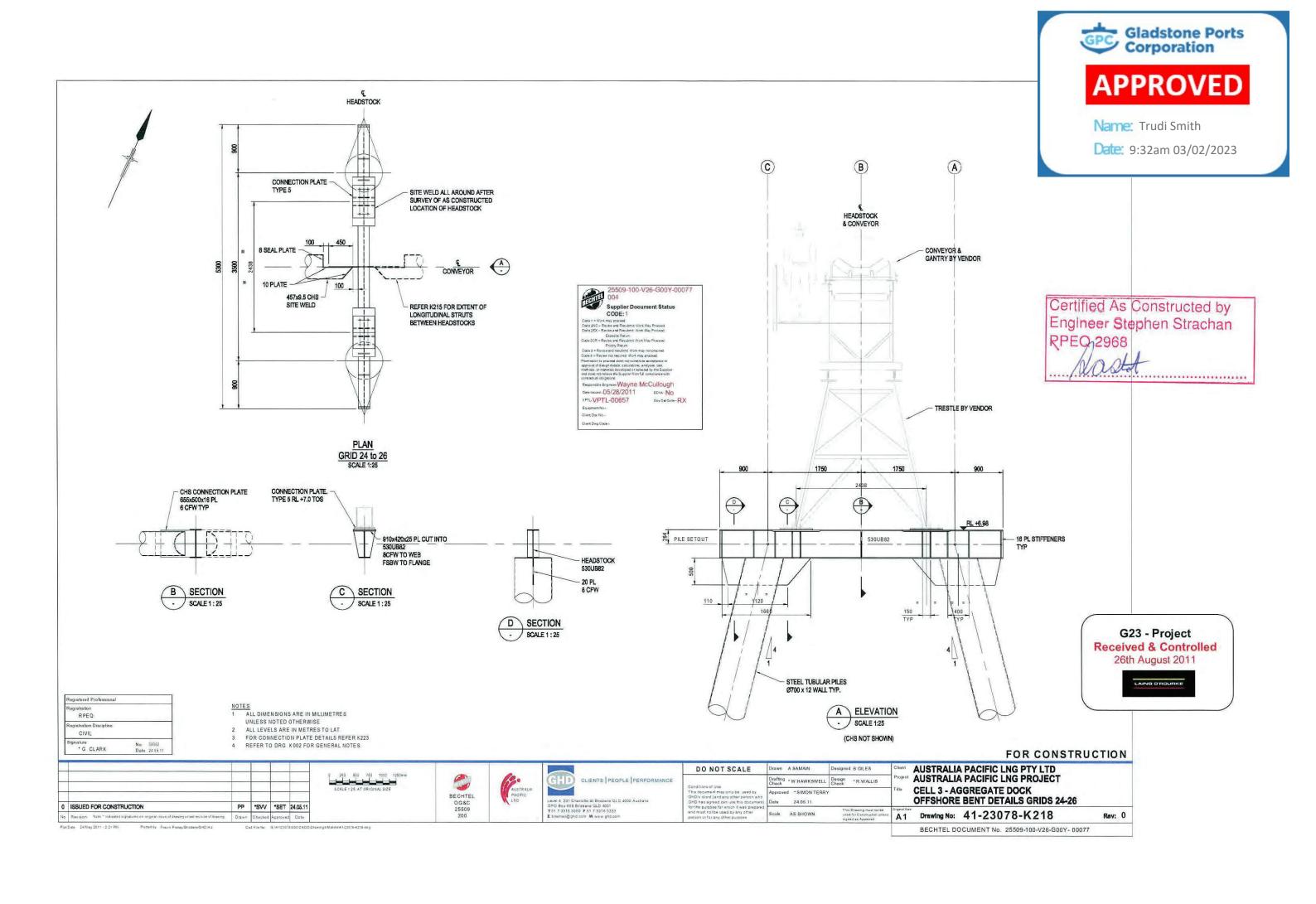


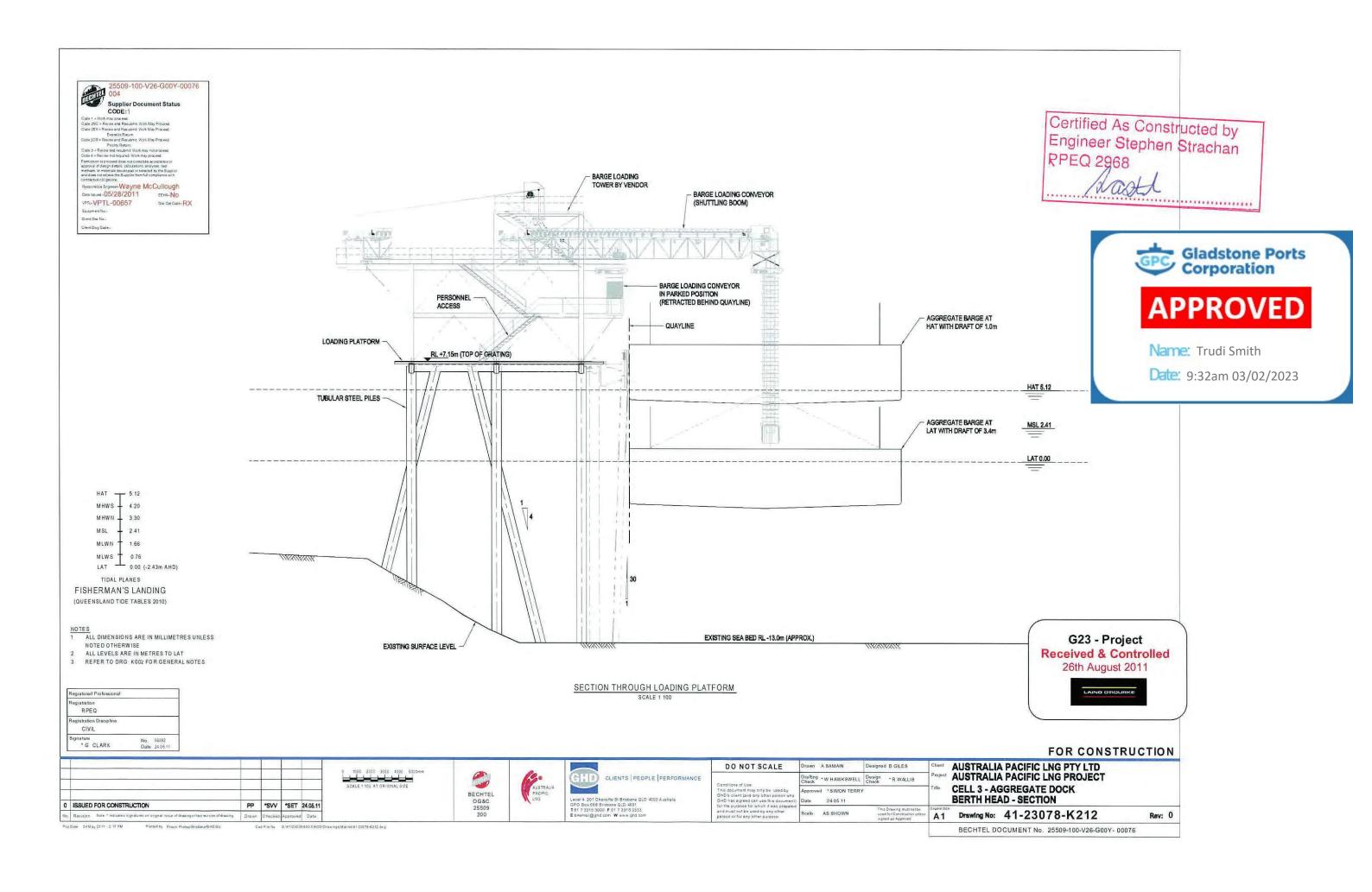


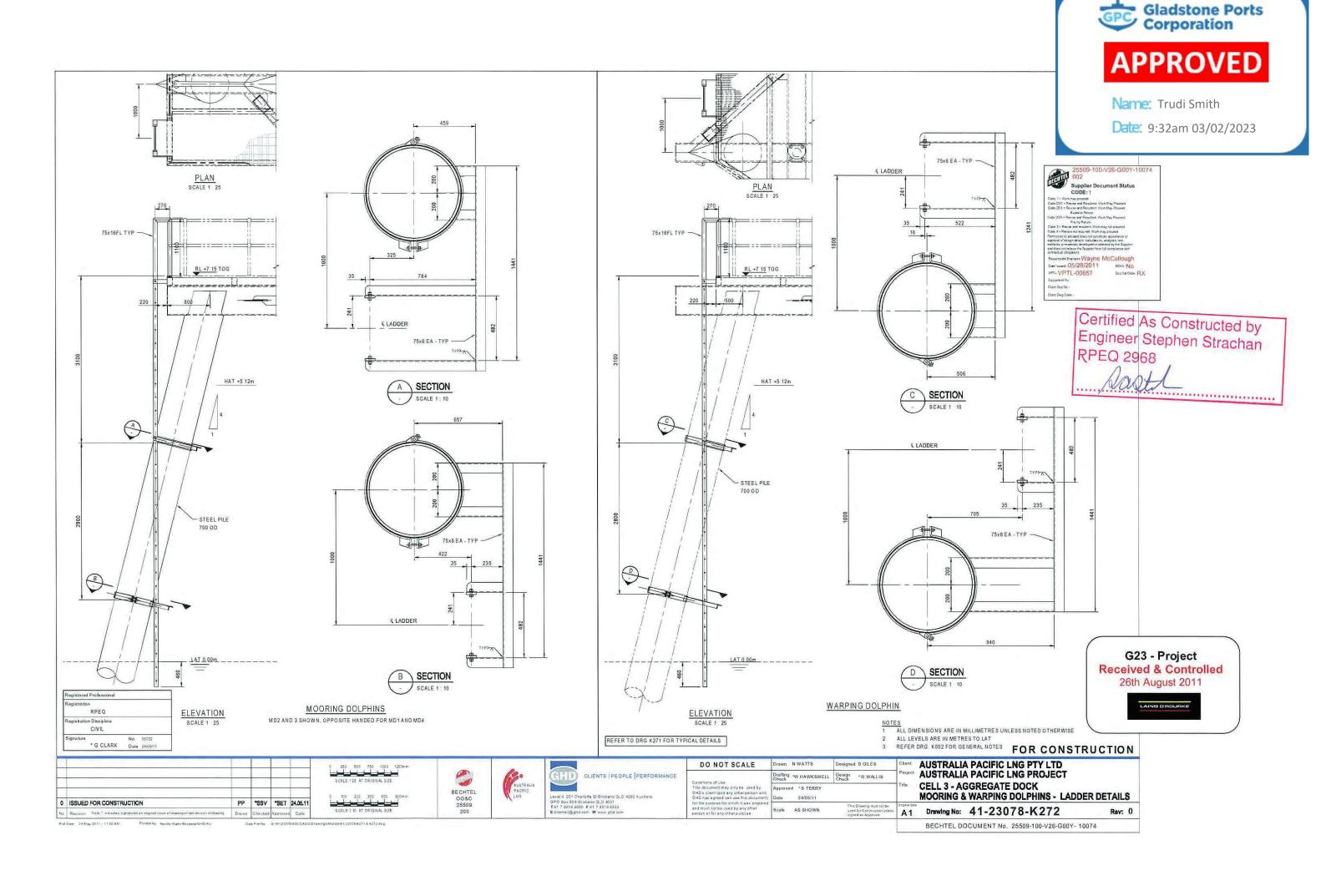


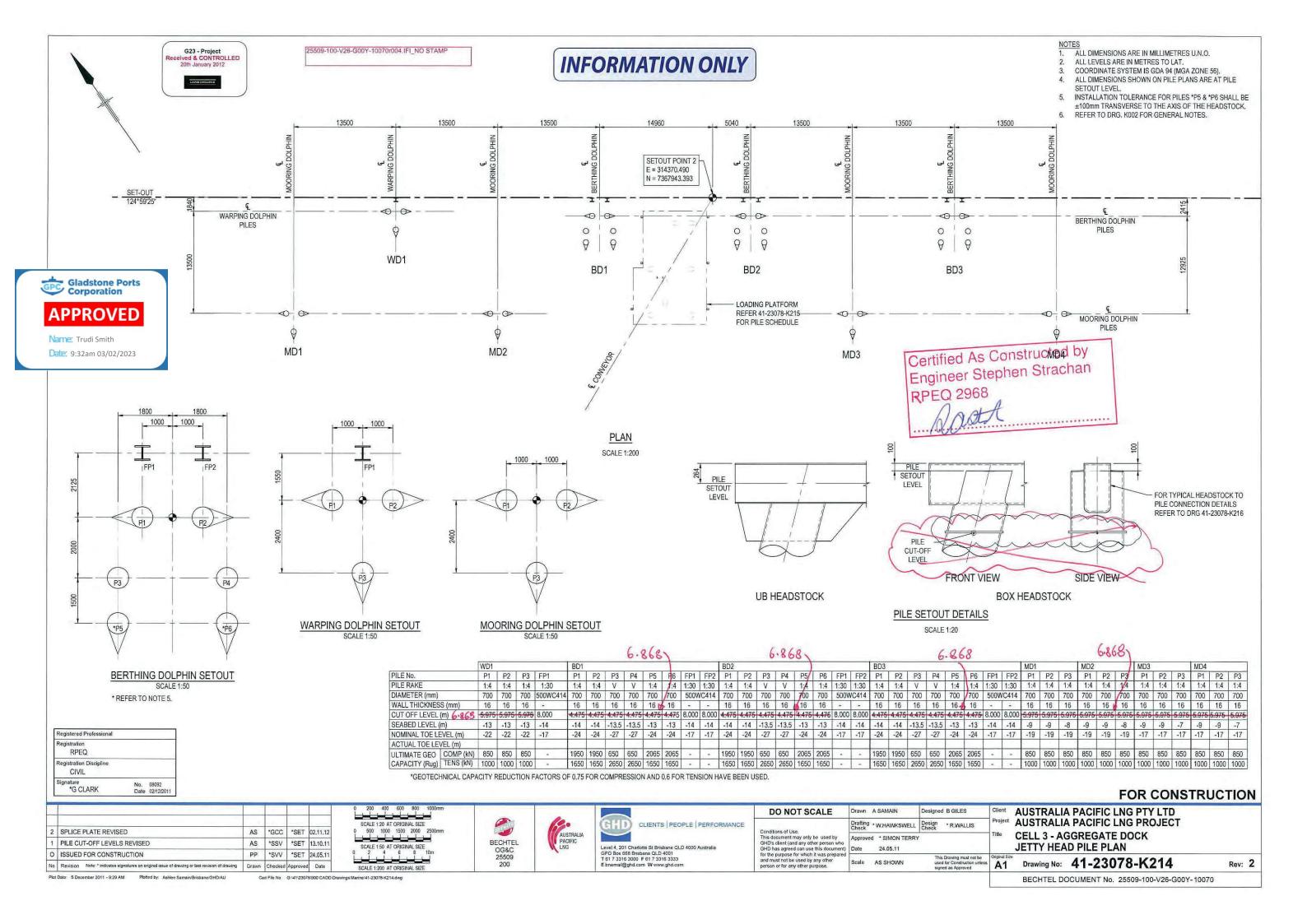














APPROVED

Name: Trudi Smith

Date: 9:32am 03/02/2023

~



ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTH REFER DRG K214 & K215 FOR PILE SCHEDULES.

WELDING DETAILS SHALL BE CONFIRMED WITH THE RELEVANT WELD PROCEDURE AND TESTING TO AS1554.

4. REFER DRG K002 FOR GENERAL NOTES.

HEADSTOCK PLATE

Certified As Constructed by Engineer Stephen Strachan

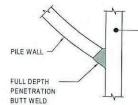
RPEQ 2968





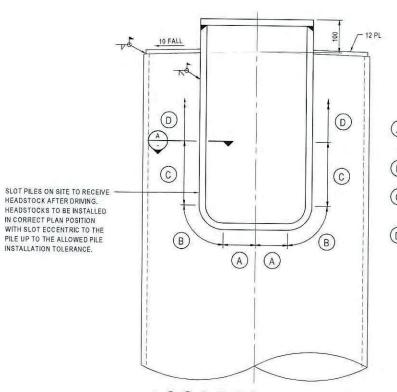
BACKING RING 668 OD x 75 x 8 PL

OR 387 OD x 75 x 8 PL









ALTERNATIVE BOX HEADSTOCK TO PILE DETAIL

SCALE 1:5

rafting . W. HAWKSWELL Design . R. WALLIS

Designed B GILES

HEADSTOCK TO PILE CONNECTION DETAILS SITE WELDING SHALL BE COMPLETED IN THE FOLLOWING SEQUENCE

- START AT CENTRE OF HEADSTOCK SOFFIT AND WELD TO START OF RADIUS IN EACH DIRECTION. REPEAT FOR CONNECTION OTHER SIDE OF PILE.
- WELD FULL EXTENT OF RADIUS FROM BOTTOM UPWARDS, REPEAT FOR REMAINING THREE LEGS.
- WELD FROM RADIUS TO MID HEIGHT OF CONNECTION REPEAT FOR REMAINING THREE
- WELD FROM MID HEIGHT TO TOP OF CONNECTION, REPEAT FOR REMAINING THREE SIDES.

G23 - Project Received & CONTROLLED 20th January 2012

Rev: 1

FOR CONSTRUCTION

AUSTRALIA PACIFIC LNG PTY LTD AUSTRALIA PACIFIC LNG PROJECT CELL 3 - AGGREGATE DOCK TYPICAL PILE DETAILS

Drawing No: 41-23078-K216

BECHTEL DOCUMENT No. 25509-100-V26-G00Y- 10069

HEADSTOCK CONNECTION DETAILS REVISED AS *SSV *SET 13.10.11 ISSUED FOR CONSTRUCTION PP *SVV *SET 24.05.11

10 FALL

(D)

0

A

*> KQ



- Ø740 x 25 PL Z-PLATE (THROUGH THICKNESS TESTED)

MAX TOLERANCE

RL +6.00 LOADING PLATFORM, MOORING

DOLPHINS AND WARPING DOLPHINS RL +4.50 ANCHOR BENTS & BERTHING DOLPHINS



* SHOP WELDS SHALL BE CARRIED OUT AFTER COMPLETION OF AS-INSTALLED PILE SURVEY.

FOLLOWING SEQUENCE:

HEADSTOCK TO PILE CONNECTION DETAILS
SHOP WELDING SHALL BE COMPLETED IN THE

START AT CENTRE OF HEADSTOCK SOFFIT AND WELD TO START OF RADIUS IN EACH DIRECTION.

REPEAT FOR CONNECTION OTHER SIDE OF PILE.

WELD FULL EXTENT OF RADIUS FROM BOTTOM

WELD FROM RADIUS TO MID HEIGHT OF CONNECTION REPEAT FOR REMAINING THREE

UPWARDS. REPEAT FOR REMAINING THREE LEGS.

WELD FROM MID HEIGHT TO TOP OF CONNECTION. REPEAT FOR REMAINING THREE SIDES.

IN CORRECT PLAN POSITION

INSTALLATION TOLERANCE.

Scale AS SHOWN

DO NOT SCALE

Plot Bate: 13 October 2011 - 3 28 PM

Registered Professional RPEQ

egistration Discipli CIVIL

*G CLARK

SLOT PILES ON SITE TO RECEIVE HEADSTOCK AFTER DRIVING.

HEADSTOCKS TO BE INSTALLED IN CORRECT PLAN POSITION WITH SLOT

ECCENTRIC TO THE PILE UP TO THE ALLOWED PILE INSTALLATION

TYPICAL BOX HEADSTOCK TO PILE DETAIL

(A)

A

J 8D

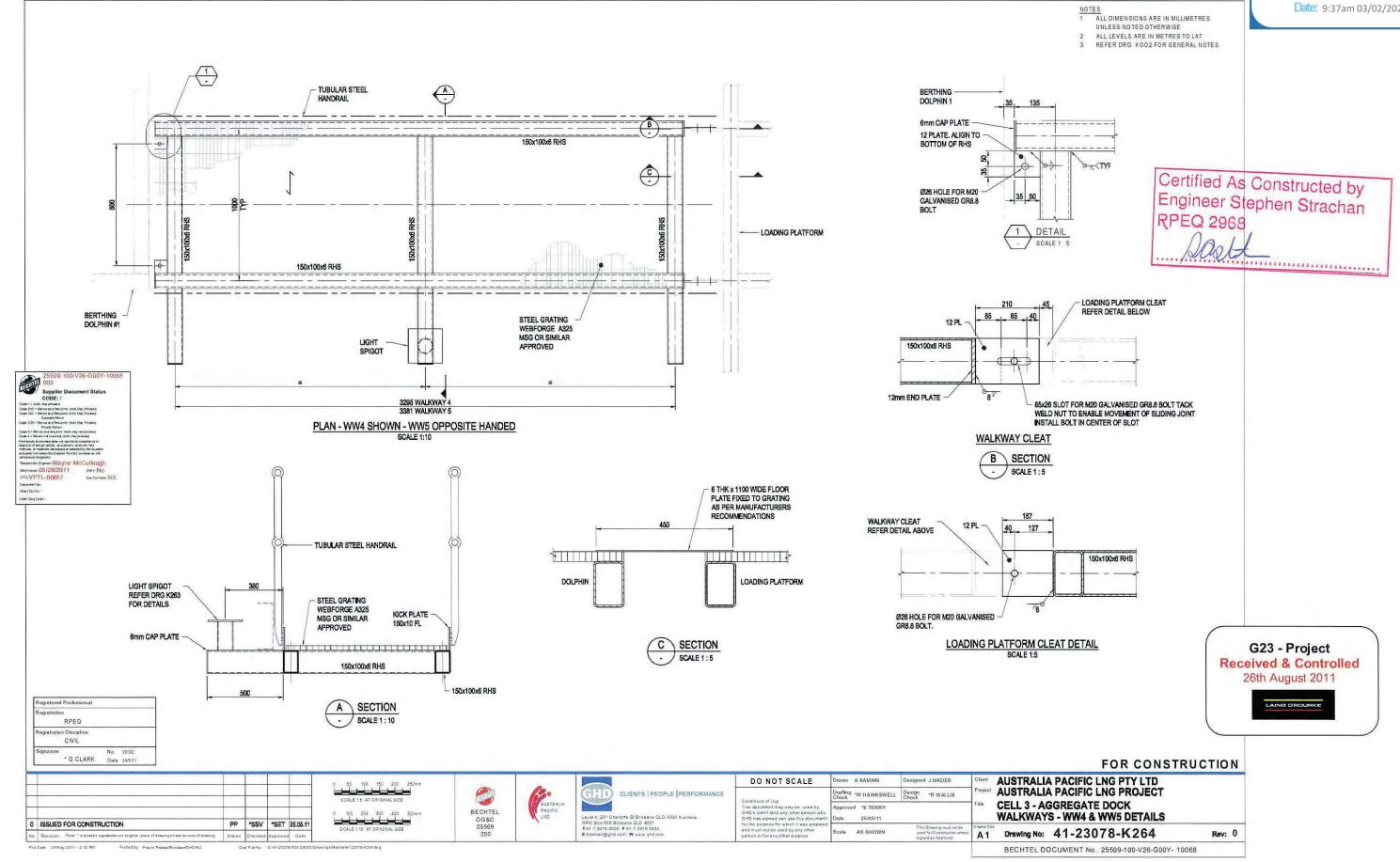
TYPICAL FIN PLATE TO PILE DETAIL

/- 12 PL

0

(c)







Name: Trudi Smith

Date: 9:37am 03/02/2023



B SECTION

Certified As Constructed by Engineer Stephen Strachan

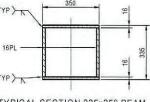
.......

RPEQ 2968

- A325 MSG WERFORGE 150x100x6 RHS TYPICAL FLOOR BEAM CONNECTION

168.3x6.4 CHS

TYPICAL SECTION (ROLLED EDGE) HEADSTOCK



TYPICAL SECTION 335x350 BEAM (SQUARE EDGE)

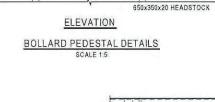
SCALE 1:10



MOORING DOLPHIN & WARPING DOLPHIN

TYPICAL BRACING DETAIL

ROPE GUARD TYPICAL SECTION



NOTES

1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.

ALL LEVELS ARE IN METRES TO LAT.

3. REFER DRG. K002 FOR GENERAL NOTES.

Registered Professional

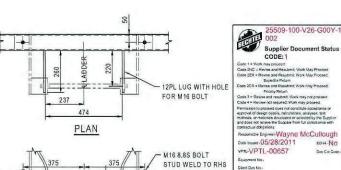
RPEQ

CIVIL

Signature * G. CLARK

0

PLAN



TYP

225 x 225 x 10 PL. DRILLED -

101.6 x 5 CHS

6 V Q

TYPICAL LIGHT SPIGOT DETAIL

FOR 3-M16 BOLTS, REFER ELECTRICAL DRGS. FOR

BOLT SETOUTS

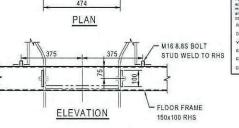
WALKWAY SUPPORT 335 x 350 x 16



28Ø HOLES FOR M24 8.8/S BOLTS

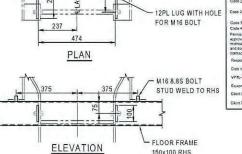
- 15T TRELLEBORG KIDNEY BOLLARD

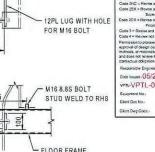
TYP

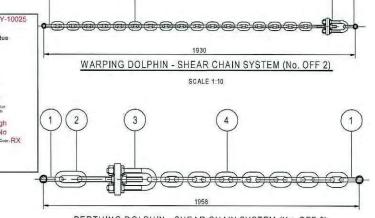


TYPICAL LADDER FIXING DETAIL









BERTHING DOLPHIN - SHEAR CHAIN SYSTEM (No. OFF 6) SCALE 1:10

WARPING DOLPHIN - SHEAR CHAIN SYSTEM DESCRIPTION MATERIAL QTY. MBL (kN) DEE SHACKLE PIN DIA 19mm HDG GRADE S 195 OPEN LINK CHAIN DIA 16mm (3.0D) HDG GRADE U2 33 160 3 CHAIN TENSIONER DIA 16mm HDG GRADE 8,8/350

*TABLE QUANTITIES ARE PER SYSTEM ALL ITEMS SHALL BE HOT DIP GALVANISED TO AS4680 AND IN ACCORDANCE WITH SPECIFICATION, WITH MIN. 100 MICRONS THICKNESS.

BERTHING DOLPHIN - SHEAR CHAIN SYSTEM					
ITEM	DESCRIPTION	MATERIAL	QTY.	MBL (kN)	
1	DEE SHACKLE PIN DIA 28mm	HDG GRADE S	2	510	
2	OPEN LINK CHAIN DIA 28mm (5.0D)	HDG GRADE U2	i	492	
3	CHAIN TENSIONER DIA 30mm	HDG GRADE 8.8/350	1		
4	OPEN LINK CHAIN DIA 28mm (3.0D)	HDG GRADE U2	14	510	

*TABLE QUANTITIES ARE PER SYSTEM ALL ITEMS SHALL BE HOT DIP GALVANISED TO AS4680 AND IN ACCORDANCE WITH SPECIFICATION, WITH MIN. 100 MICRONS THICKNESS.

FOR CONSTRUCTION

						0 50 100 150 200 250mm
						SCALE 1-5 AT ORIGINAL SIZE
						0 100 200 300 400 500mm
)	ISSUED FOR CONSTRUCTION	PP	*SVV	*SET	24.05.11	
0	Revision Note * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Charked	Annroyee	Date	SCALE 1.10 AT ORIGINAL SIZE

(ALL DOLPHINS)

SCALE 1:10





HEADSTOCK

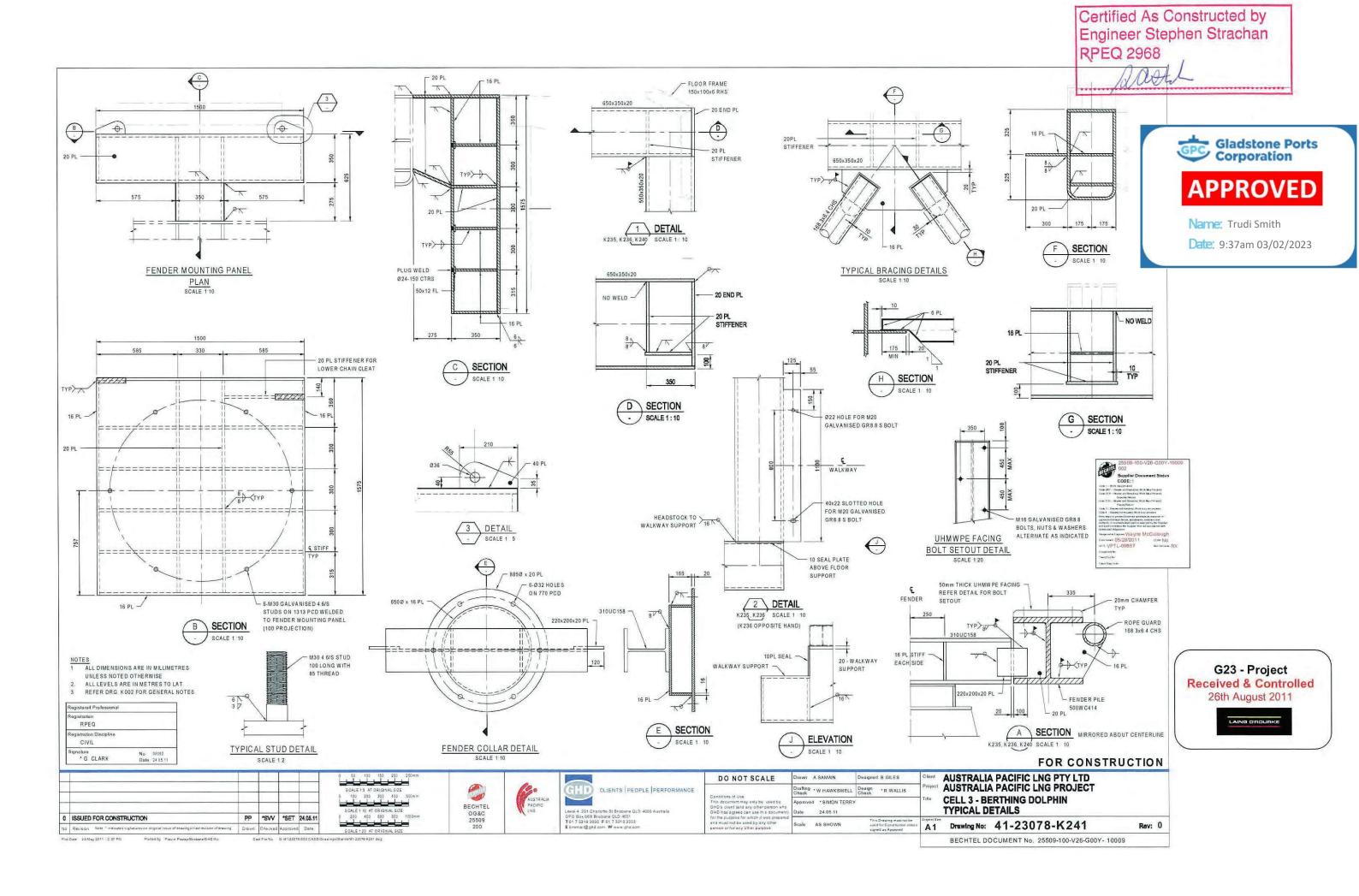
GHD CLIENTS PEOPLE PERFORMANCE
Level 4, 201 Charlotte St Brisbane QLD 4000 Australia GPO Box 668 Brisbane QLD 4001
T 61 7 3316 3000 F 61 7 3316 3333
E bnemail@ghd.com W www.ghd.com

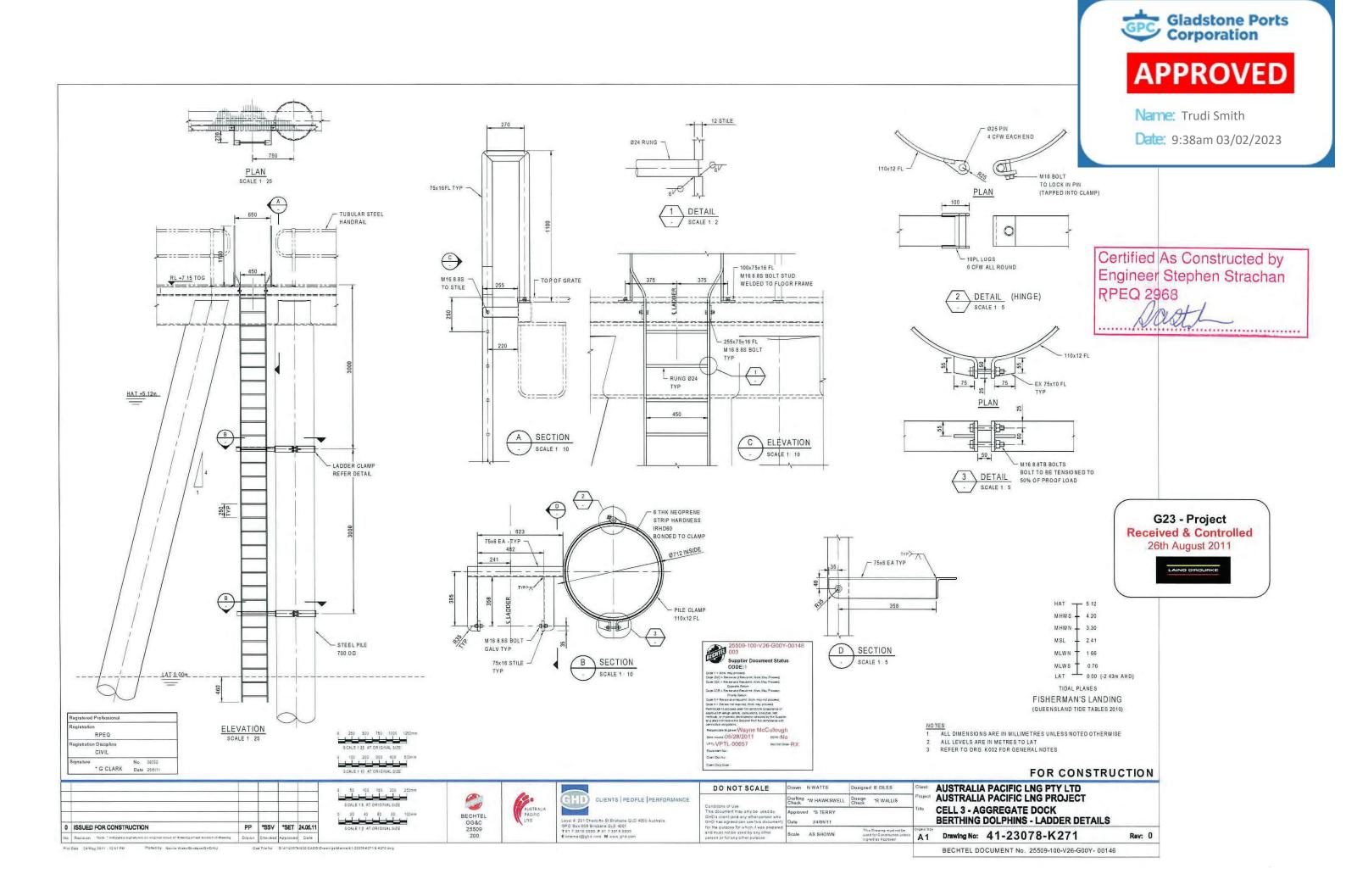
	DO NOT SCALE	Drafting W.HAWKSWELL		Designed	B GILES	Clie
	Conditions of Use			Design • R WALLIS		Proj
		Approved	pproved *SIMON TERRY			
		Date	24.05.11			
		Scale	AS SHOWN	This Drawing must not be used for Construction unles signed as Approved		Ongin A

AUSTRALIA PACIFIC LNG PTY LTD AUSTRALIA PACIFIC LNG PROJECT **CELL 3 - AGGREGATE DOCK**

TYPICAL DOLPHIN DETAILS Drawing No: 41-23078-K245

Rev: 0 BECHTEL DOCUMENT No. 25509-100-V26-G00Y- 10025

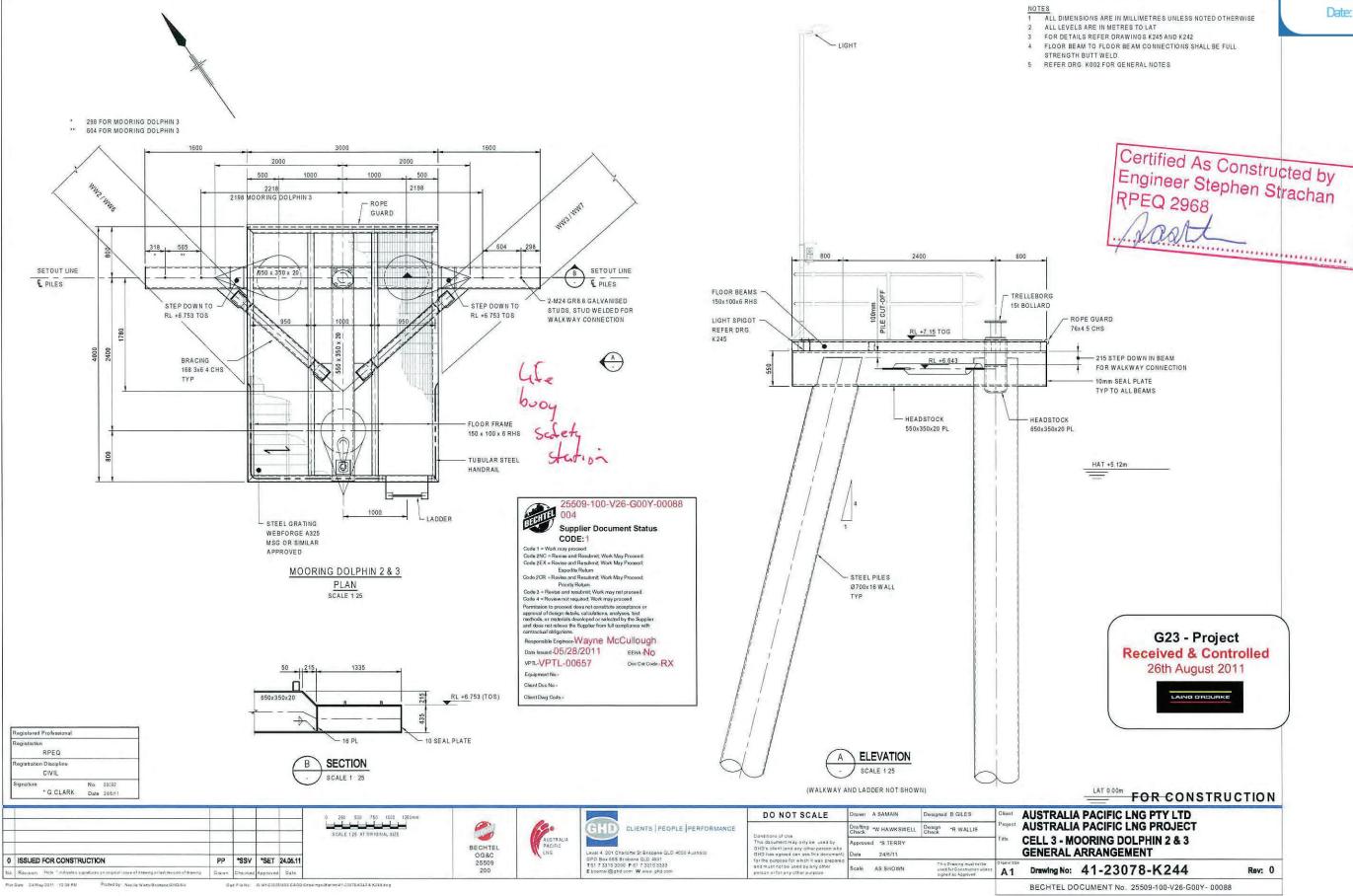


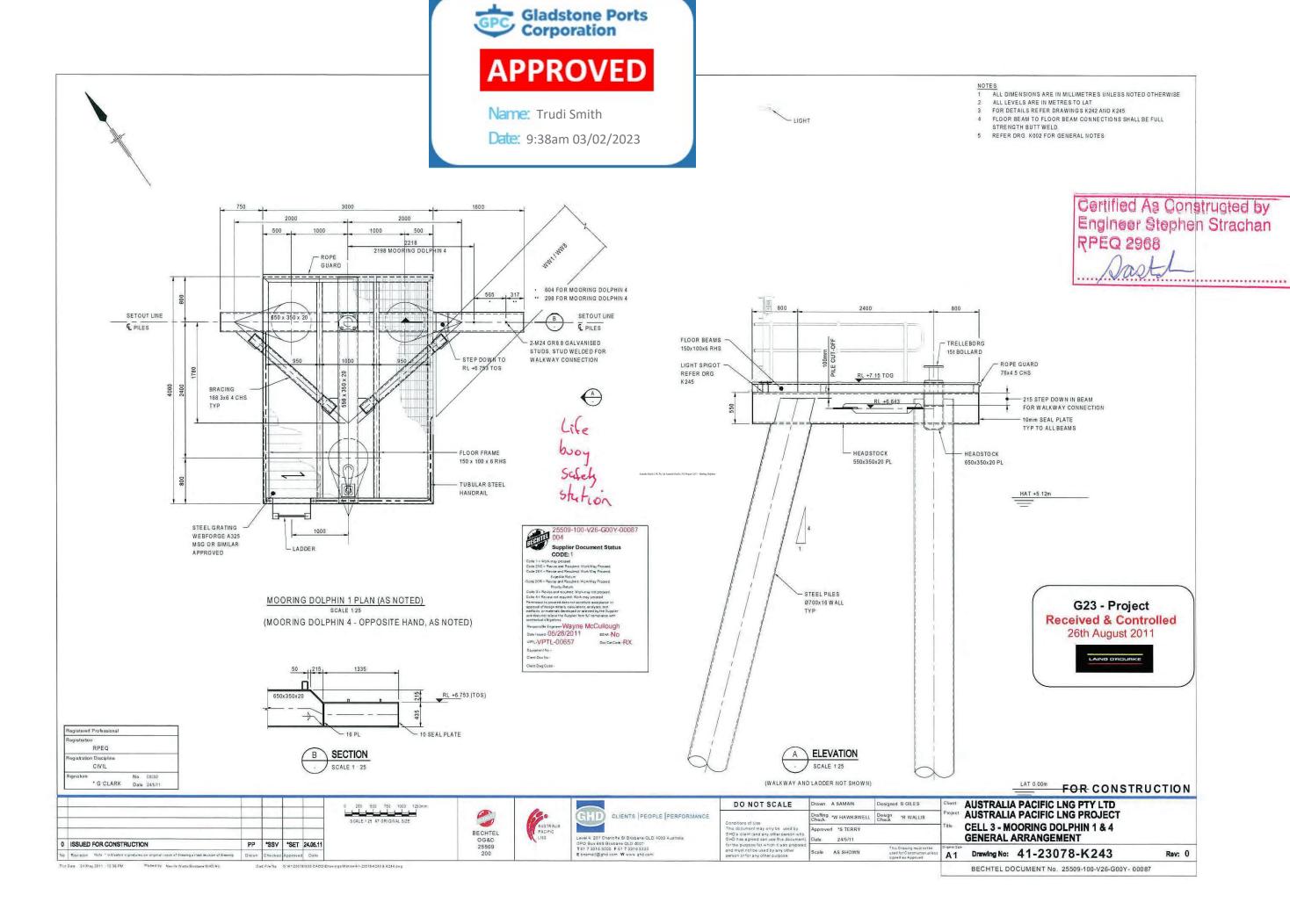


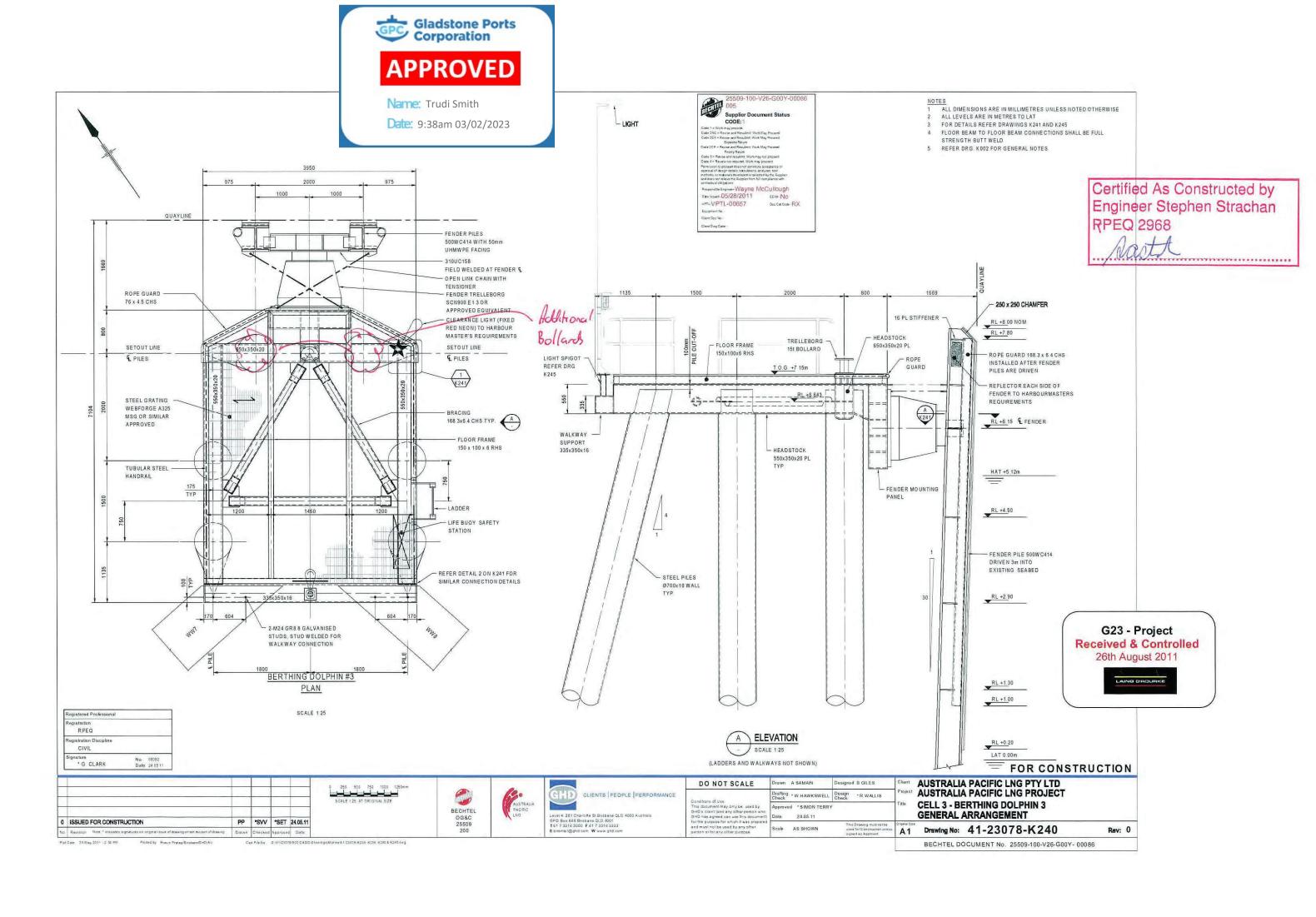


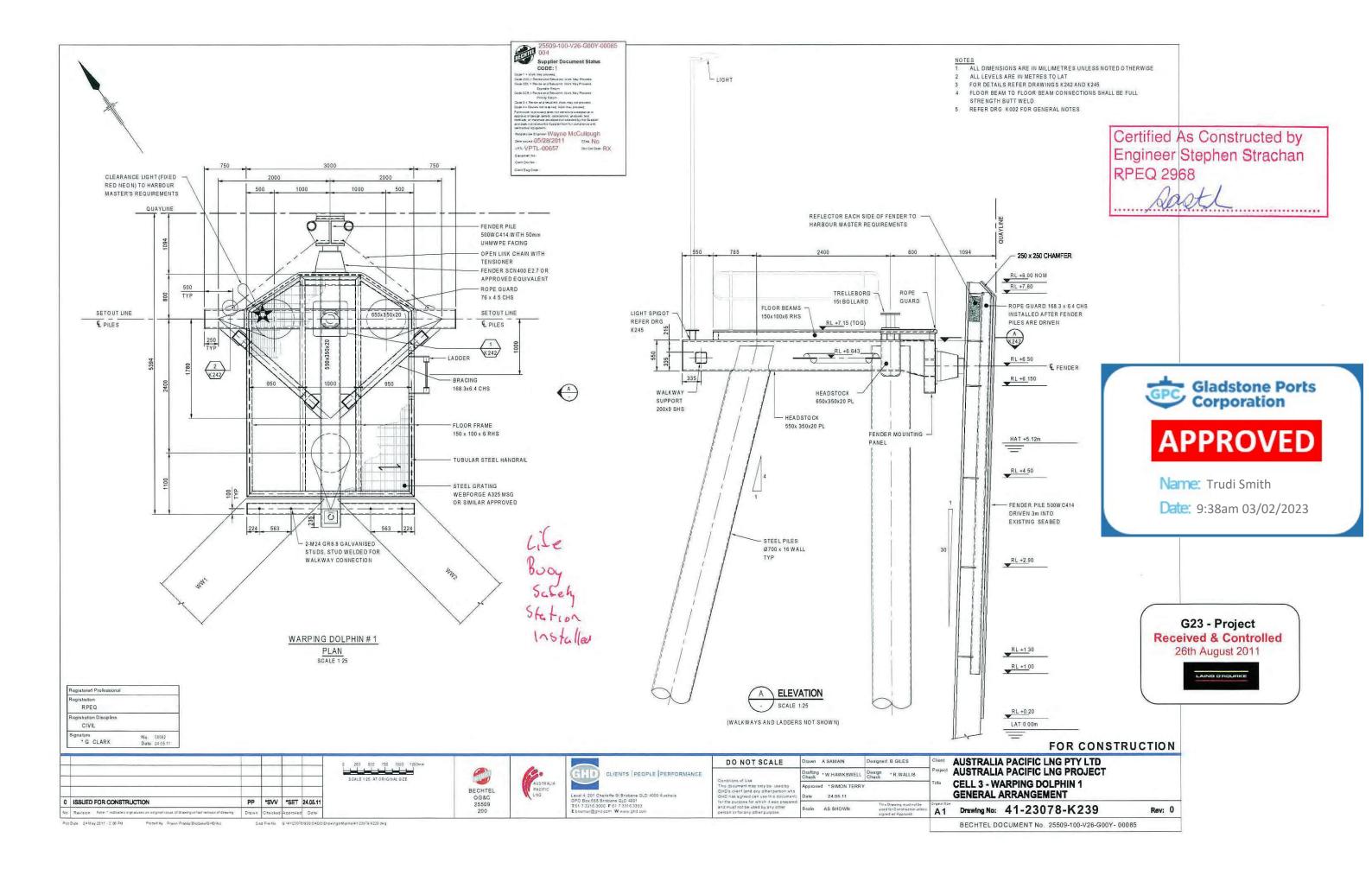
Name: Trudi Smith

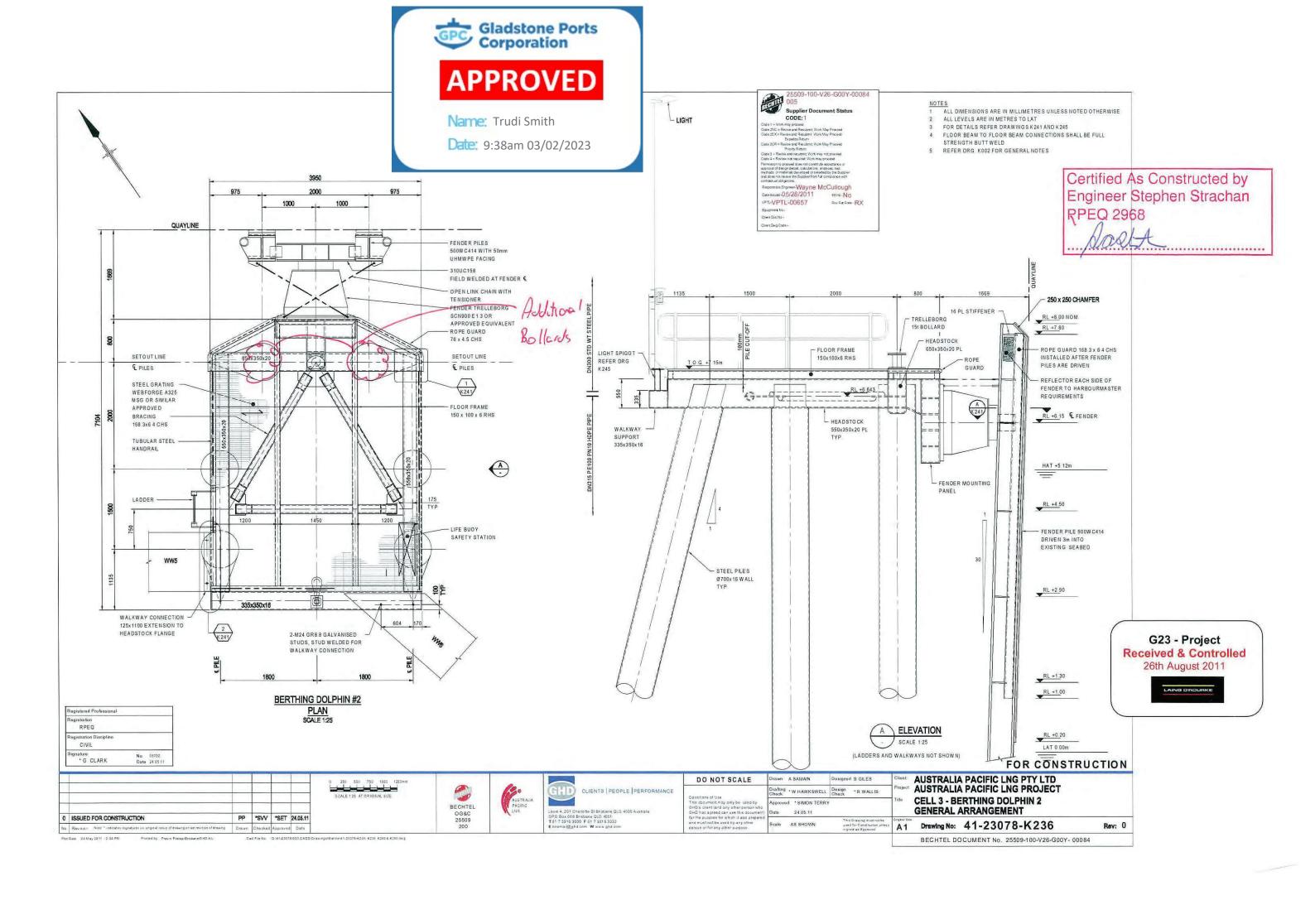
Date: 9:38am 03/02/2023

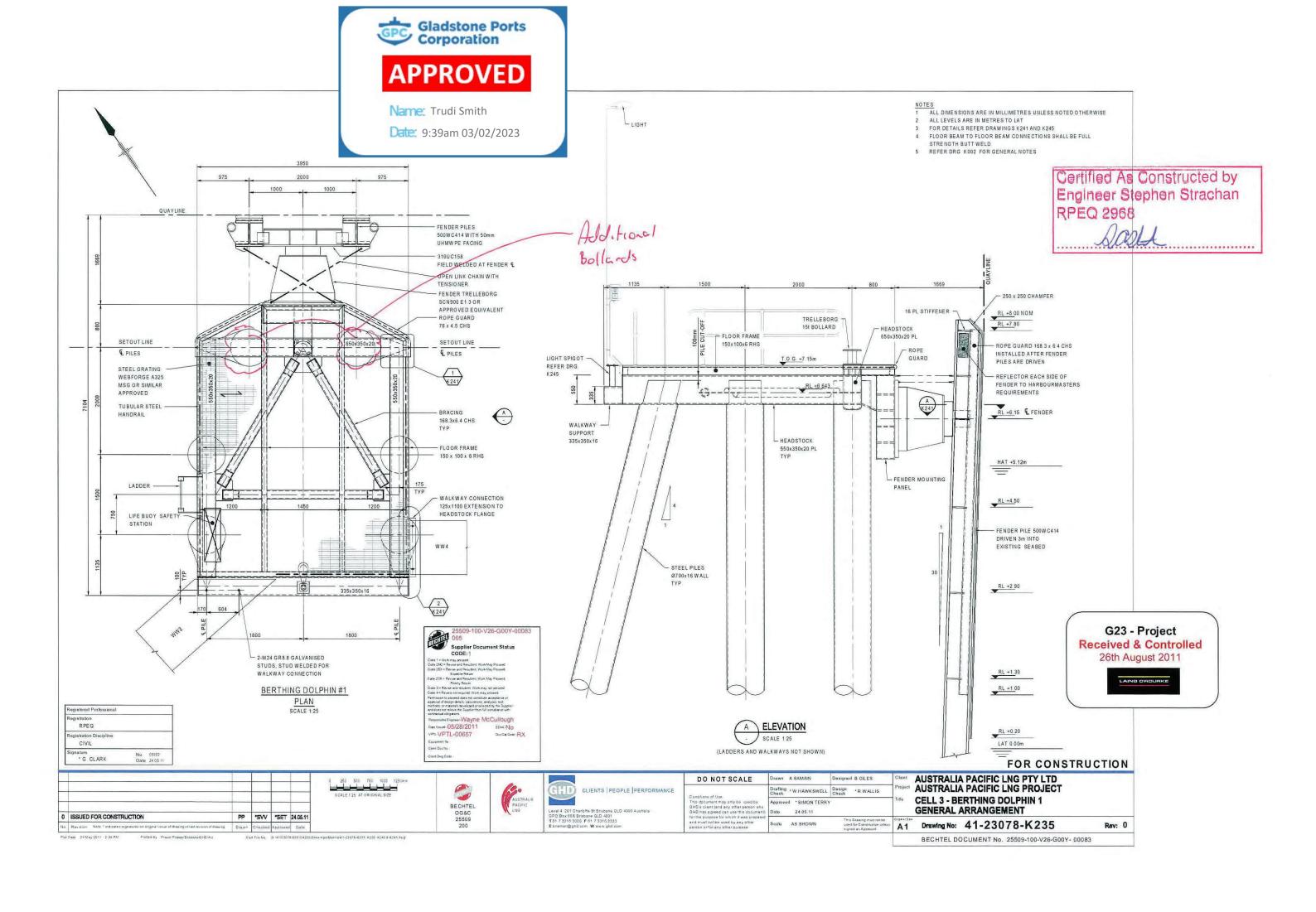


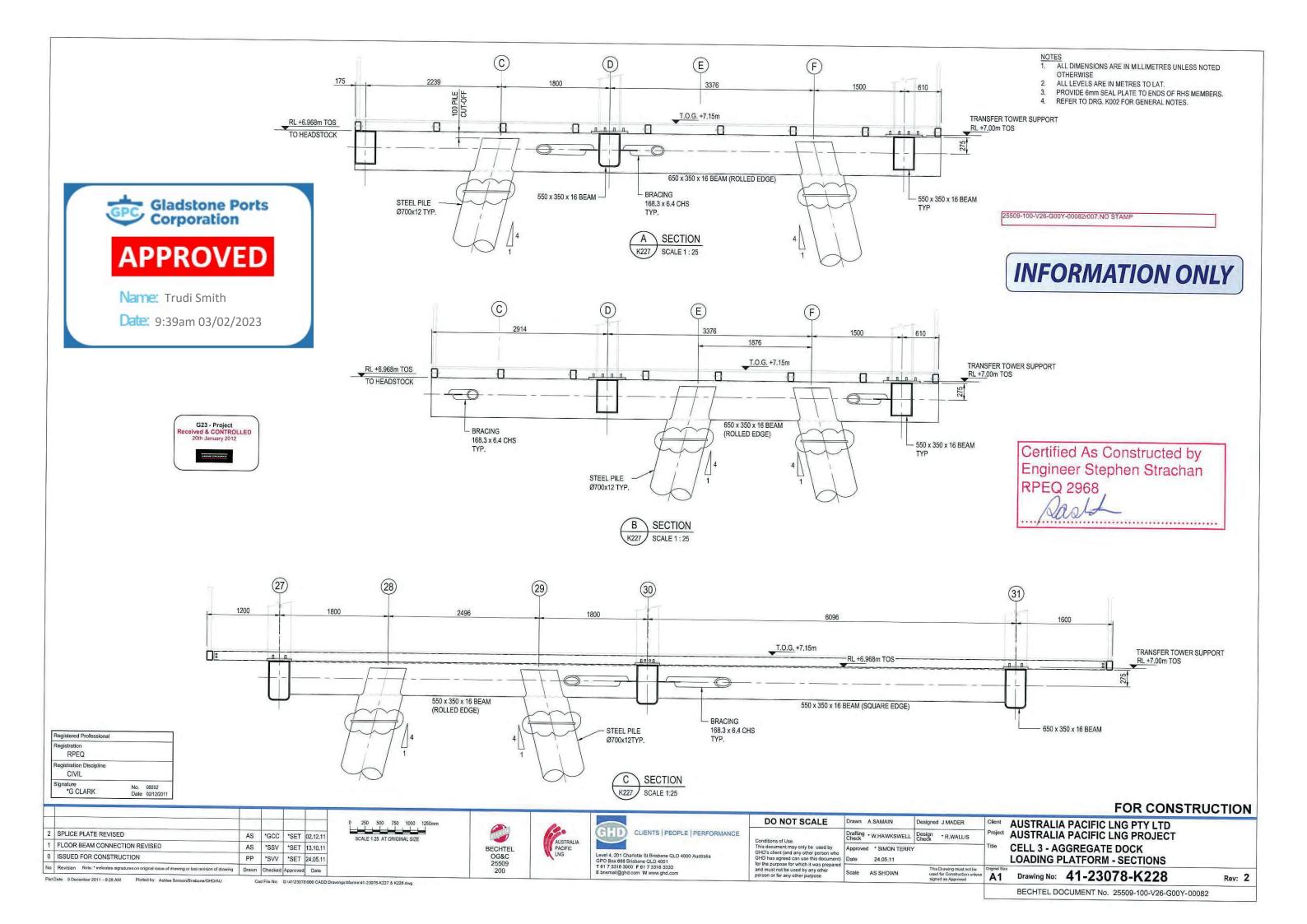




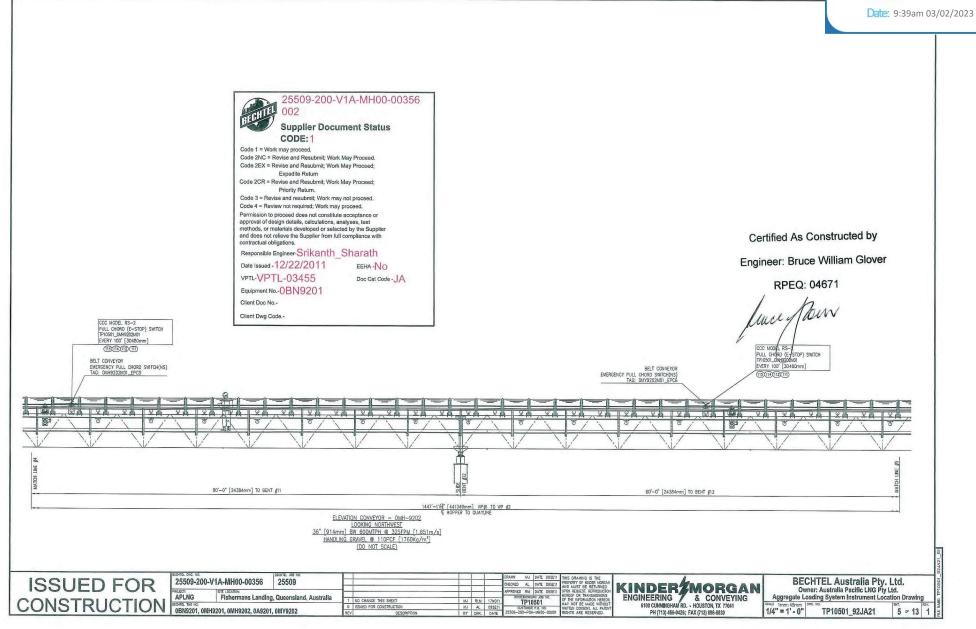




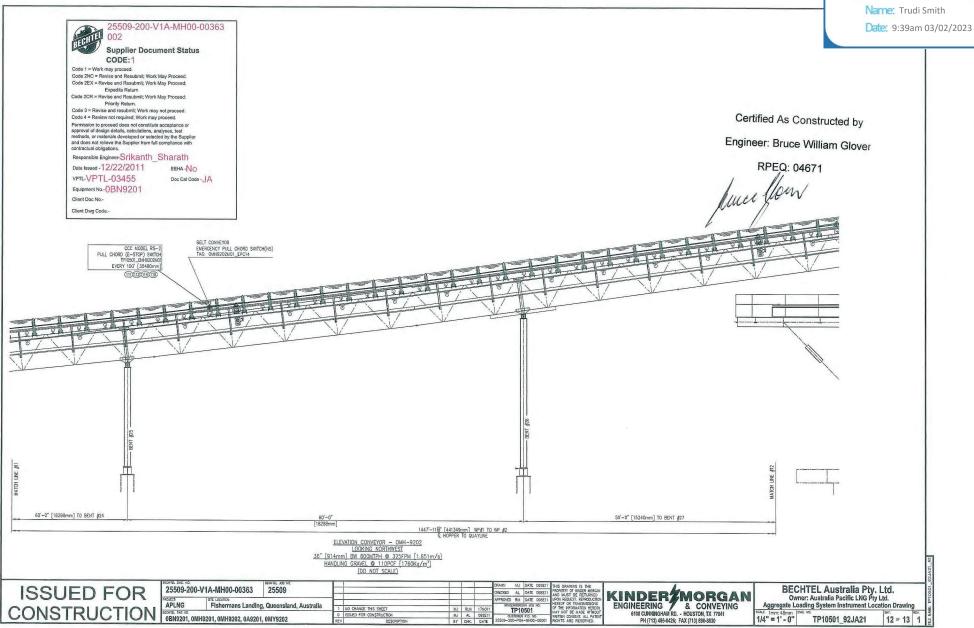




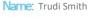




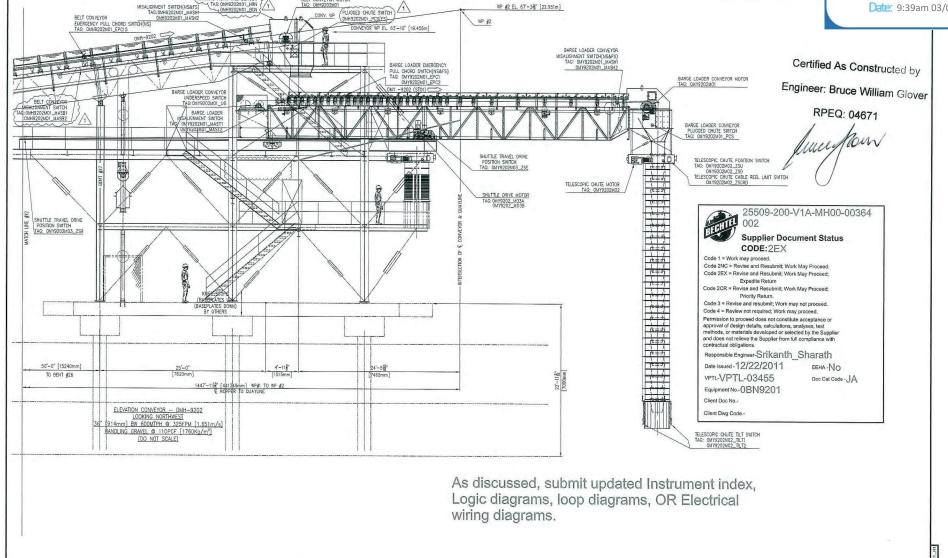








Date: 9:39am 03/02/2023



HECKED AL DATE 09SE11

PPROVED RM DATE 095E11

TP10501

KINDER MORGAN

INEERING & CONVEYING 6100 CUNNINGHAM RD. - HOUSTON, TX 77041 PH (713) 466-0426; FAX (713) 896-8830

25509

Fishermans Landing, Queensland, Australia

25509-200-V1A-MH00-00364

APLNG

CONSTRUCTION PROPRIES | PRINCE | PRINCE

ISSUED FOR

f 39

BECHTEL Australia Pty. Ltd.
Owner: Australia Pacific LNG Pty Ltd.

Aggregate Loading System Instrument Location Drawing

1/4" = 1' - 0" TP10501_92JA21



Extract of Appeal Provisions Attachment 3

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
- (1) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
 - (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

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

storey see the Building Code, part A1.1.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

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

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Column 1	Column 2	Column 3	Column 4	
Appellant	Respondent	Co-respondent (if any)	Co-respondent by election (if any)	
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application	

2. Change applications

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

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

	Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Co	olumn 1	Column 2	Column 3	Column 4	
Ap	ppellant	Respondent	Co-respondent	Co-respondent	
			(if any)	by election (if any)	
1 2	The applicant If the responsible entity is the	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application	
	assessment manager—an affected entity that gave a pre-request notice or response notice			2 If a chosen assessment manager is the respondent—the prescribed assessment manager	
				3 A private certifier for the development application	
				4 Any eligible advice agency for the change application	
				5 Any eligible submitter for the change application	

3. Extension applications

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

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

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

4. Infrastructure charges notices

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

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

Examples of errors in applying an adopted charge—

- the incorrect application of gross floor area for a non-residential development
- applying an incorrect 'use category', under a regulation, to the development
- (ii) the working out of extra demand, for section 120; or
- (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Appeals to t	Tab he P&E Court and,	le 1 for certain matters	, to a tribunal
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	_	_
5. Conversion applica	ntions		
An appeal may be ma	ide against—		
(a) the refusal of a co	onversion application;	or	
(b) a deemed refusal	of a conversion applic	ation.	
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The applicant	The local government to which the conversion application was made		_
6. Enforcement notice	es		
An appeal may be ma	de against the decision	to give an enforceme	nt notice.
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The person given the enforcement notice	The enforcement authority		If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal

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

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

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

Table 2 Appeals to the P&E Court only

1. Appeals from tribunal

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

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

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

2. Eligible submitter appeals

For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—

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

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

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

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

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

4. Compensation claims

An appeal may be made against—

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

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

Table 2 Appeals to the P&E Court only			
5. Registered premise	·S		
An appeal may be ma	de against a decision of	of the Minister under cl	napter 7, part 4.
Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent (if any)	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

6. Local laws

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

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

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

Table 3 Appeals to a tribunal only

1. Building advisory agency appeals

An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.

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

Table 3 Appeals to a tribunal only

2. Inspection of building work

An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.

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

- 3. Certain decisions under the Building Act and the *Plumbing and Drainage Act 2018* An appeal may be made against—
- (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or
- (b) a decision under the *Plumbing and Drainage Act 2018*, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision		

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

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

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

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

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

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision		