#2079478: EC: TS
GPC Reference: RR2023/012/02
Your Reference:CC-8585

9 October 2026

Custom Land Group
c/- Empire Engineering Pty Ltd
Att: Ryan Clarke
PO Box 2025
BUNDABERG QLD 4670

Email: admin.cc@empireengineering.com.au

Copy to: development@bundaberg.qld.gov.au

Dear Ryan,

DECISION NOTICE – CHANGE APPLICATION FOR MINOR CHANGE – RR2023/012/02

(GIVEN UNDER THE PROVISIONS OF S83 OF THE *PLANNING ACT 2016*)

This changed decision notice replaces the decision notice dated 11 November 2024. Changes are shown in ***italicised bold*** font.

1. Application Details

This development application was **made** to the Gladstone Ports Corporation Limited on 3 September 2026.

Application Number	RR2023/012/02
Applicant Name:	Custom Land Group
Applicant Contact Details:	c/- Empire Engineering Pty Ltd Att: Ryan Clarke PO Box 2025 BUNDABERG QLD 4670 Email: admin.cc@empireengineering.com.au
Current Approval (Port Limits):	*Planning Regulation 2017* Schedule 10, Part 13, Division 3, Table 1, Item 1. • Prescribed assessable development within limits of a port and

	• On land below high-water mark and within the limits of a port under the Transport Infrastructure Act – GPC as the Referral Agency (not limited)
Proposed Development:	(Change Application – Minor Change) to change development approval Referral agency response by GPC (Ref: RR2023/012/01) for - • Preliminary approval for a Material Change of Use involving a variation request to vary the effect of the planning scheme; and • Development Permit – Reconfiguration of a Lot for subdivision of 173 Lots into 171 Residential Lots, access easement, one (1) park lot, two (2) detention lots, two (2) drainage lots and new road in 9 Stages.
Proposed Change:	Amend Condition 7(b) of the Referral Agency Response (not limited) issued by GPC under DA2023/012/01 to change the timing of the construction of the acoustic fence, to allow construction as part of Stage 5 rather than as part of Stage 1 of the development.
Street Address	Powers Street, Burnett Heads
Property Description:	Lots 11 - 44, 65-91, 93-184, 219-232, 235-235 RP7182 and Lots 8 & 14 RP166529, Lots 5 & 167 CK1415
Land Owner:	PE Rickert & MG Adil & MA Rickert & AG Mackenzie as Personal Representatives for the Estate of Grace Rickert and Brades Bundaberg Pty Ltd
Local Government Area:	Bundaberg Regional Council

2. Details of Proposed Development

Change application for Minor change made under s78 of the Act to development approval RR2023/012/01 to amend Condition 7(b) of the Referral Agency response issued on 11 November 2024.

- Preliminary approval for a Material Change of Use involving a variation request to vary the effect of the planning scheme; and
- Development Permit – Reconfiguration of a Lot for subdivision of 173 Lots into 171 Residential Lots, access easement, one (1) park lot, two (2) detention lots, two (2) drainage lots and new road in 9 Stages.

Proposed changes to Amend Condition 7(b) to change the timing of the construction of the acoustic fence, to allow construction as part of Stage 5 (later stage) rather than as part of Stage 1 of the development.

3. Details of Decision

This development application was **decided** under s81A of the Act on **11 November 2024** and the **minor change decided on 9 October 2026.**

This development application was assessed s81 of the Act and 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 concurrency agency imposed them.

4. Details of Approval

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

- Preliminary approval - for a material change of use that includes a variation request to vary the effect of the Bundaberg Regional Council planning scheme to change the zoning from Limited Development Zone to Low Density Residential Precinct;
- Development Permit - Reconfiguration of a Lot for subdivision of 173 Lots into 172 Residential Lots, two (2) open space lots, two (2) stormwater treatment lots, and new road in 9 Stages.

5. Conditions

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

6. Referral Triggers

The referral agencies for this application are:

This development application was initially referred to the Gladstone Ports Corporation Limited under the following provisions of the *Planning Regulation 2017*:

Referral trigger: Schedule 10, Part 13, Division 3, Table 1 – Prescribed assessable development within limits of a port and on land below high-water mark and within the limits of a port under the Transport Infrastructure Act.

7. Approved Plans and Specifications

Copies of the following plans are approved and enclosed in Attachment 2:

Drawing/report title	Prepared by	Date	Reference no.	Version
Proposed Reconfiguration	Bennett & Bennett	22/08/2024	220239-006-PRO	H

8. 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 4 includes 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 49761314 or via email planning@gpcl.com.au

Yours sincerely

Dean O'Dowd (09/10/2026 14:58:46 GMT+10)

Dean O'Dowd
(Acting) Group Executive Terminal Operations

cc: Assessment Manager -

Enc. Attachment 1: Conditions of Approval
Part 1 – Conditions imposed by the assessment manager
Attachment 2: Approved plans and specifications
Attachment 3: Original Decision Notice
Attachment 4: Appeal provisions
Attachment 5: Right of Appeal Waiver

Attachment 1 Conditions of Approval

PART 1: REFERRAL AGENCY CONDITIONS

In accordance with the requirements of the *Transport Infrastructure Act 1994* (Chapter 8, Part 3), and section 56 (1)(b)(i) of the *Planning Act* 2016 this Referral Agency response is subject to each of the following conditions which are stated by the Gladstone Ports Corporation Limited, the Referral Agency.

Part 1a: Approval sought under *Planning Act 2016* –

- **Preliminary Approval including a Variation Request and Reconfiguring a Lot (173 lots into 172 residential lots, two [2] open space lots, two [2] stormwater treatment lots, and new road) in 9 Stages.**

General

1. Development must be carried out generally in accordance with the Approved plans, except where modified by conditions within this response.

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 Referral Agency (Gladstone Ports Corporation Limited) for drawings or documentation the Applicant must submit for review, amend to the satisfaction of, and obtain written approval from the Referral Agency.

   Furthermore, the Referral Agency will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the development/works. Should further information be required for assessment, the Referral Agency will require a further 5 business days to complete the information request assessment and response.

4. 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.

5. The construction of the development must not adversely impact other port users, including but not limited to, safe and efficient vessel access throughout Port Limits must be maintained at all times, beyond the construction site.

6. The Assessment Manager is to provide the following notation to every lot created under the Development Approval 525.2023.50.1 (Bundaberg Regional Council reference) and RR2023/012/01 (Referral Agency reference) on lots numbered 1 to 172 and 800 to 803 as follows -

   "Strategic Port Land – All future purchasers of the subject land should note that Strategic Port Land is located within 500 metres of this lot. Port related activity may impact on the

residential amenity of the occupants/ residents."

Amendment to Plans of Development

7. Prior to the first stage of the subdivision, Plans of Development for the Proposed Reconfiguration must be amended and submitted to the Referral Agency for Approval, to increase setback distances from Strategic Port Land as follows:

   a) Prior to the first stage to be developed, submit a plan for the endorsement of a 2.4m high acoustic fence for the full extent of the southern boundary of Lots 38 and 39 and Lots 155 – 172; and

   b) Prior to the plan sealing of Stage 5, 6 or 9 (whichever occurs first) construct a 2.4m high acoustic fence for the full extent of the southern boundary of Lots 38 and 39 and Lots 155 – 172.

Landscaping Buffers

8. Deleted

9. Deleted.

Stormwater/ Drainage

10. At all times, Infrastructure installed as a result of the development (i.e. the proposed B4 detention basin) shall not restrict current or future access to Council or State road/transport corridors, along the frontages of Strategic port land.

Engineering

11. Upon completion of any works for other related approvals undertaken within Port Limits, the Applicant must supply the Referral Agency with RPEQ certified "As Constructed" plans in electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port Limits associated with the activity unless otherwise approved in writing by the Referral Agency.

12. The Applicant must inform the Referral Agency of completion of any works within Port Limits within 14 days of practical completion and certify that the site is fit for purpose.

13. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels within Port Limits nor illuminate a landward glare beyond the site boundary. Where an issue is identified or a validated complaint received, the Applicant must immediately rectify to the satisfaction of the Referral Agency.

14. Any material which is deposited or any debris which falls or is deposited within Port Limits during the construction of the approved development or other related approvals undertaken within Port limits shall be removed by the applicant at their cost and expense. The applicant is to notify the Port Authority if any material or debris is deposited.

15. Upon completion of construction of the approved development or other related approvals within Port limits, the applicant shall provide the Referral Agency with written confirmation that the seabed is clear of foreign materials.

16. If, as a result of the works, or other cause attributable to the Applicant, any bank or tidal structure within Port Limits is displaced, the Applicant 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 Gladstone Ports Corporation Limited's Port Infrastructure Asset Manager.

Environmental

17. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any release / spill of contaminants (e.g. fuels / chemicals sediment and waste of any amount to water within Port Limits.

18. Environmental incident notification must be included in any Management Plans for the works or any related works within Port Limits.

Part 1b: ADVICE NOTES

a. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Operational works, storm water and drainage works;

b. Where the Applicant is required to submit further documentation to the Referral Agency, this is to be directed to the Planning section at planning@gpcl.com.au, including reference to the allocated referral response number.

c. Where the Applicant is required to report damage to any bank or tidal structure within Port Limits, the Applicant is directed to contact the Port Infrastructure Asset Manager on 4976 1332 or bartona@gpcl.com.au

d. 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.

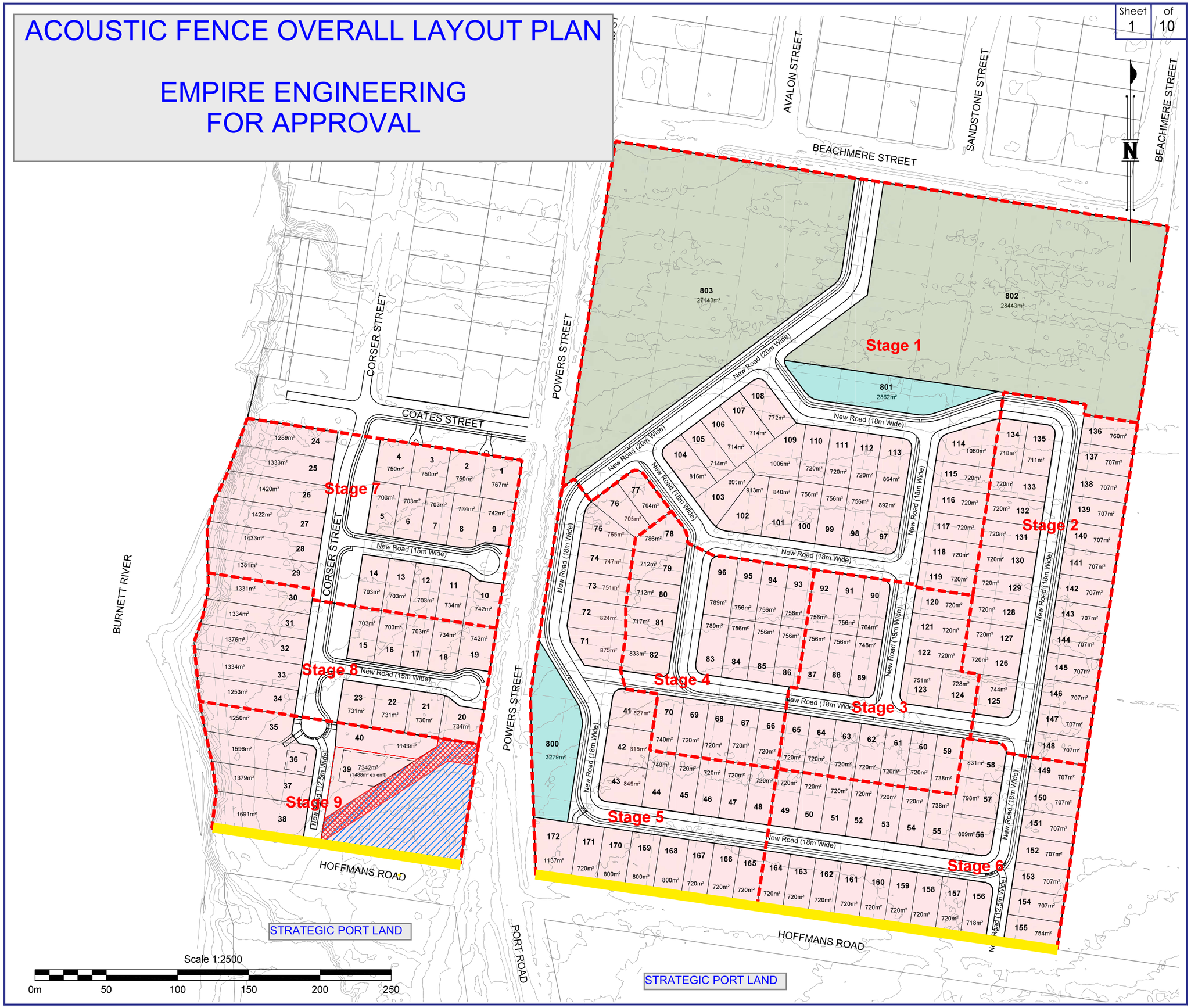
e. All development should proceed in accordance with the duty of care guidelines under the *Aboriginal Cultural Heritage Act 2003*. Penalties may apply where duty of care under that Act has been breached.

Attachment 2 Approved Plans and Specifications

Gladstone Ports Corporation Limited
T: +61 7 4976 1333 • Fax: +61 7 4972 3045 • 40 Goondoon St/PO Box 259, Gladstone QLD, 4680, AUSTRALIA • www.gpcl.com.au
ACN 131 965 896 ABN 96 263 788 242

ACOUSTIC FENCE OVERALL LAYOUT PLAN

EMPIRE ENGINEERING
FOR APPROVAL



BENNETT + BENNETT
PO Box 5021, GCMC QLD 9726
Ph: (07) 5631 8000
mail@bennettandbennett.com.au
Surveying, Town Planning & Spatial Services
GOLD COAST | BRISBANE | SUNSHINE COAST | NORTHERN RIVERS
www.bennettandbennett.com.au

LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement
- PROPOSED 2.4m HIGH ACOUSTIC FENCE TO BE LOCATED ON SITE BOUNDARY.

Gladstone Ports Corporation

APPROVED

Name: Trudi Smith

Date: 7:07 am, 12/10/2026

NOTES:
1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
4. Contours are derived from State LIDAR data.
5. All dimensions and areas are subject to final survey.
6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
7. Burnett River boundary shown as per DCDB and subject to final river boundary survey.

Issue	Revision	Int	Date
H	Layout Updated	HK	22/08/2024
G	Response to IR	HK	21/03/2024
F	Stage7,8 & 9 Updated	HK	14/11/2023
E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:

Proposed Reconfiguration

Powers Street, Burnett Heads

(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:2500
Comp File:			
Plan No:	**220239_006_PRO**		

A3

Attachment 3 Original Decision Notice

Gladstone Ports Corporation Limited
T: +61 7 4976 1333 • Fax: +61 7 4972 3045 • 40 Goondoon St/PO Box 259, Gladstone QLD, 4680, AUSTRALIA • www.gpcl.com.au
ACN 131 965 896 ABN 96 263 788 242

#1970549: EC: ts
GPC Reference: RR2023/012/01

11 November 2024

Rickert Family Trust
C/- The Development Directive Pty Ltd
Samuel Hutchinson
884 Logan Road
HOLLAND PARK WEST QLD 4121

Dear Sam,

AMENDED REFERRAL AGENCY RESPONSE – WITH CONDITIONS - RR2023/012/01
(GIVEN UNDER S28 OF THE DA RULES)

1 Application Details

Change representations were made to the Gladstone Ports Corporation Limited under section 30.1 of the DA Rules on 17 September 2024. This amended Referral Agency Response replaces the referral agency response dated 3 September 2024.

Application Number:	RR2023/012/01
Applicant Name:	Rickert Family Trust
Applicant Contact Details:	Rickert Family Trust C/- The Development Directive Pty Ltd Samuel Hutchinson 884 Logan Road HOLLAND PARK WEST QLD 4121 Email: samuel@developmentdirective.com.au
Approval Sought (Port Limits):	*Planning Regulation 2017* - Schedule 10, Part 13, Division 3, Table 1, Item 1 • Prescribed assessable development within limits of a port and • On land below high-water mark and within the limits of a port under the Transport Infrastructure Act Prescribed assessable development within the limits of a Port – GPC as the Referral Agency
Details of Proposed Development:	Preliminary approval - for a material change of use that includes a variation request to vary the effect of the BRC planning scheme to change the zoning from Limited Development Zone to Low Density Residential Precinct

	Development Permit - Reconfiguration of a Lot for subdivision of 173 lots into 172 residential lots, two (2) open space lots, two (2) stormwater treatment lots, and new road in 9 Stages.
Location Street Address:	Powers, Aldridge, Beachmere, Corser, Coates and Hansen Street, and Hoffmans Road, Burnett Heads
Location Real Property Description:	Lots 11 – 44 and Lots 65 – 91, Lots 93 – 184, Lots 219 – 232, Lots 235 – 236 on RP7182, Lots 8 & 14 on RP166529 and Lots 5 & 167 on CK1415.
Land Owner;	PE Rickert & MG Adil & MA Rickert & AG Mackenzie as Personal Representatives for the Estate of Grace Rickert

2 Description of Proposed Development

- Preliminary approval - for a material change of use that includes a variation request to vary the effect of the Bundaberg Regional Council planning scheme to change the zoning from Limited Development Zone to Low Density Residential Precinct;
- Development Permit - Reconfiguration of a Lot for subdivision of 173 Lots into 172 Residential Lots, two (2) open space lots, two (2) stormwater treatment lots, and new road in 9 Stages.

3 Referral Triggers

This development application was referred to the Gladstone Ports Corporation Limited under the following provisions of the *Planning Regulation 2017*:

Referral trigger: Schedule 10, Part 13, Division 3, Table 1 – Prescribed assessable development within limits of a port and on land below high-water mark and within the limits of a port under the Transport Infrastructure Act.

4 Details of Referral Response

Referral agency powers: Referral agency powers are not limited in this response.

This development application has been assessed against port authority functions under the *Transport Infrastructure Act 1994*, chapter 8, part 3 as required in Schedule 10, Part 13, Division 3, Table 1, Item 4 of the *Planning Regulation 2017* and also matters referred to in section 22.

The Gladstone Ports Corporation Limited directs the Assessment Manager, under section 56(1)(b)(i) of the *Planning Act 2016* to give any development approval subject to development conditions stated in Attachment 1.

For further information please contact Trudi Smith, Acting Principal Planner on 07 4976 1314 or via email planning@gpcl.com.au.

Yours sincerely



Kim Gebers
Acting Chief Executive Officer

Cc: Assessment Manager – Bundaberg Regional Council
Enc. Attachment 1: Referral Agency Conditions

PART 1: REFERRAL AGENCY CONDITIONS

In accordance with the requirements of the *Transport Infrastructure Act 1994* (Chapter 8, Part 3), and section 56 (1)(b)(i) of the *Planning Act* 2016 this Referral Agency response is subject to each of the following conditions which are stated by the Gladstone Ports Corporation Limited, the Referral Agency.

Part 1a: Approval sought under *Planning Act 2016* –

- **Preliminary Approval including a Variation Request and Reconfiguring a Lot (173 lots into 172 residential lots, two [2] open space lots, two [2] stormwater treatment lots, and new road) in 9 Stages.**

General

1. Development must be carried out generally in accordance with the Approved plans, except where modified by conditions within this response.
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 Referral Agency (Gladstone Ports Corporation Limited) for drawings or documentation the Applicant must submit for review, amend to the satisfaction of, and obtain written approval from the Referral Agency.

   Furthermore, the Referral Agency will require no less than 20 business days, unless otherwise conditioned by the Assessment Manager, to initially assess the drawings or documentation provided prior to the commencement of the development/works. Should further information be required for assessment, the Referral Agency will require a further 5 business days to complete the information request assessment and response.

4. 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.

5. The construction of the development must not adversely impact other port users, including but not limited to, safe and efficient vessel access throughout Port Limits must be maintained at all times, beyond the construction site.

6. The Assessment Manager is to provide the following notation to every lot created under the Development Approval 525.2023.50.1 (Bundaberg Regional Council reference) and RR2023/012/01 (Referral Agency reference) on lots numbered 1 to 172 and 800 to 803 as follows -

   "Strategic Port Land – All future purchasers of the subject land should note that Strategic Port Land is located within 500 metres of this lot. Port related activity may impact on the residential amenity of the occupants/ residents."

Amendment to Plans of Development

7. Prior to the first stage of the subdivision, Plans of Development for the Proposed Reconfiguration must be amended and submitted to the Referral Agency for Approval, to increase setback distances from Strategic Port Land as follows:

    a) **Prior to the first stage to be developed, submit a plan for the endorsement of a 2.4m high acoustic fence for the full extent of the southern boundary of Lots 38 and 39 and Lots 155 – 172; and**

    b) **Prior to the plan sealing of the first Stage to be developed, construct a 2.4m high acoustic fence for the full extent of the southern boundary of Lots 38 and 39 and Lots 155 – 172.**

Landscaping Buffers

8. **Deleted**

9. **Deleted.**

Stormwater/ Drainage

10. At all times, Infrastructure installed as a result of the development (i.e. the proposed B4 detention basin) shall not restrict current or future access to Council or State road/transport corridors, along the frontages of Strategic port land.

Engineering

11. Upon completion of any works for other related approvals undertaken within Port Limits, the Applicant must supply the Referral Agency with RPEQ certified "As Constructed" plans in electronic (CAD format) which illustrate all infrastructure and services installed on, under or over Port Limits associated with the activity unless otherwise approved in writing by the Referral Agency.

12. The Applicant must inform the Referral Agency of completion of any works within Port Limits within 14 days of practical completion and certify that the site is fit for purpose.

13. Any site lighting used during construction / development should not negatively impact on the visibility of Navigational Aids utilised for the primary shipping channels within Port Limits nor illuminate a landward glare beyond the site boundary. Where an issue is identified or a validated complaint received, the Applicant must immediately rectify to the satisfaction of the Referral Agency.

14. Any material which is deposited or any debris which falls or is deposited within Port Limits during the construction of the approved development or other related approvals undertaken within Port limits shall be removed by the applicant at their cost and expense. The applicant is to notify the Port Authority if any material or debris is deposited.

15. Upon completion of construction of the approved development or other related approvals within Port limits, the applicant shall provide the Referral Agency with written confirmation that the seabed is clear of foreign materials.

16. If, as a result of the works, or other cause attributable to the Applicant, any bank or tidal structure within Port Limits is displaced, the Applicant 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 Gladstone Ports Corporation Limited's Port Infrastructure Asset Manager.

Environmental

17. At all times, Gladstone Ports Corporation Environment Hotline (07) 4976 1617 is to be notified of the occurrence of any release / spill of contaminants (e.g. fuels / chemicals

sediment and waste of any amount to water within Port Limits.

18. Environmental incident notification must be included in any Management Plans for the works or any related works within Port Limits.

Part 1b: ADVICE NOTES

A. All other relevant approvals must be obtained before commencement of the development or operation of the development, including any Operational works, storm water and drainage works;

B. Where the Applicant is required to submit further documentation to the Referral Agency, this is to be directed to the Planning section at planning@gpcl.com.au, including reference to the allocated referral response number.

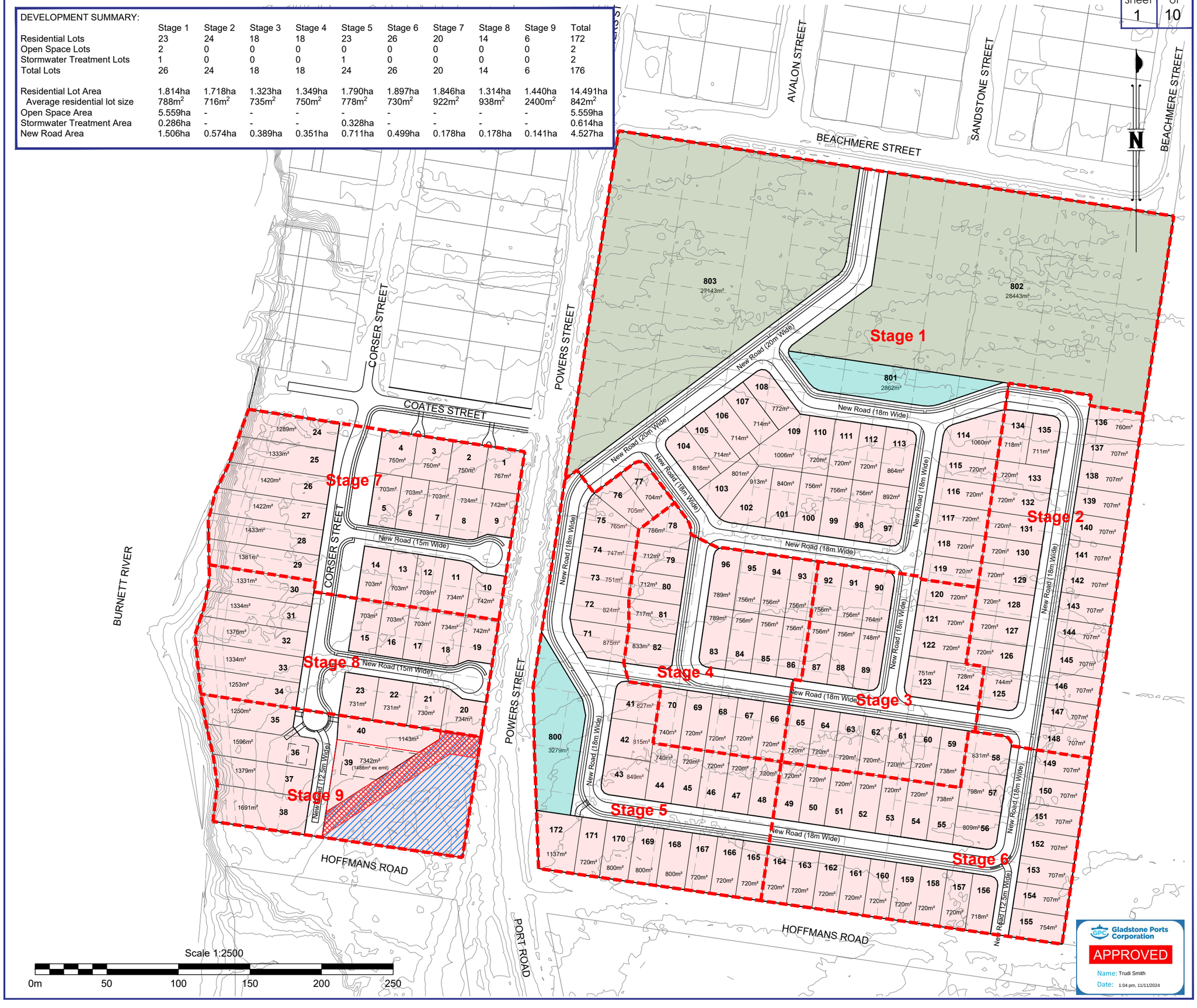
C. Where the Applicant is required to report damage to any bank or tidal structure within Port Limits, the Applicant is directed to contact the Port Infrastructure Asset Manager on 4976 1332 or bartona@gpcl.com.au

D. 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.

E. All development should proceed in accordance with the duty of care guidelines under the *Aboriginal Cultural Heritage Act 2003*. Penalties may apply where duty of care under that Act has been breached.

DEVELOPMENT SUMMARY:

	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7	Stage 8	Stage 9	Total
Residential Lots	23	24	18	18	23	26	20	14	6	172
Open Space Lots	2	0	0	0	0	0	0	0	0	2
Stormwater Treatment Lots	1	0	0	0	1	0	0	0	0	2
Total Lots	26	24	18	18	24	26	20	14	6	176
Residential Lot Area	1.814ha	1.718ha	1.323ha	1.349ha	1.790ha	1.897ha	1.846ha	1.314ha	1.440ha	14.491ha
Average residential lot size	788m²	716m²	735m²	750m²	778m²	730m²	922m²	938m²	2400m²	842m²
Open Space Area	5.559ha	-	-	-	-	-	-	-	-	5.559ha
Stormwater Treatment Area	0.286ha	-	-	-	0.328ha	-	-	-	-	0.614ha
New Road Area	1.506ha	0.574ha	0.389ha	0.351ha	0.711ha	0.499ha	0.178ha	0.178ha	0.141ha	4.527ha



LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

NOTES:

1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
4. Contours are derived from State LIDAR data.
5. All dimensions and areas are subject to final survey.
6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
7. Burnett River boundary shown as per DCDB and subject to final river boundary survey.

Issue	Revision	Int	Date
H	Layout Updated	HK	22/08/2024
G	Response to IR	HK	21/03/2024
F	Stage7,8 & 9 Updated	HK	14/11/2023
E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:

Proposed Reconfiguration

Powers Street, Burnett Heads

(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

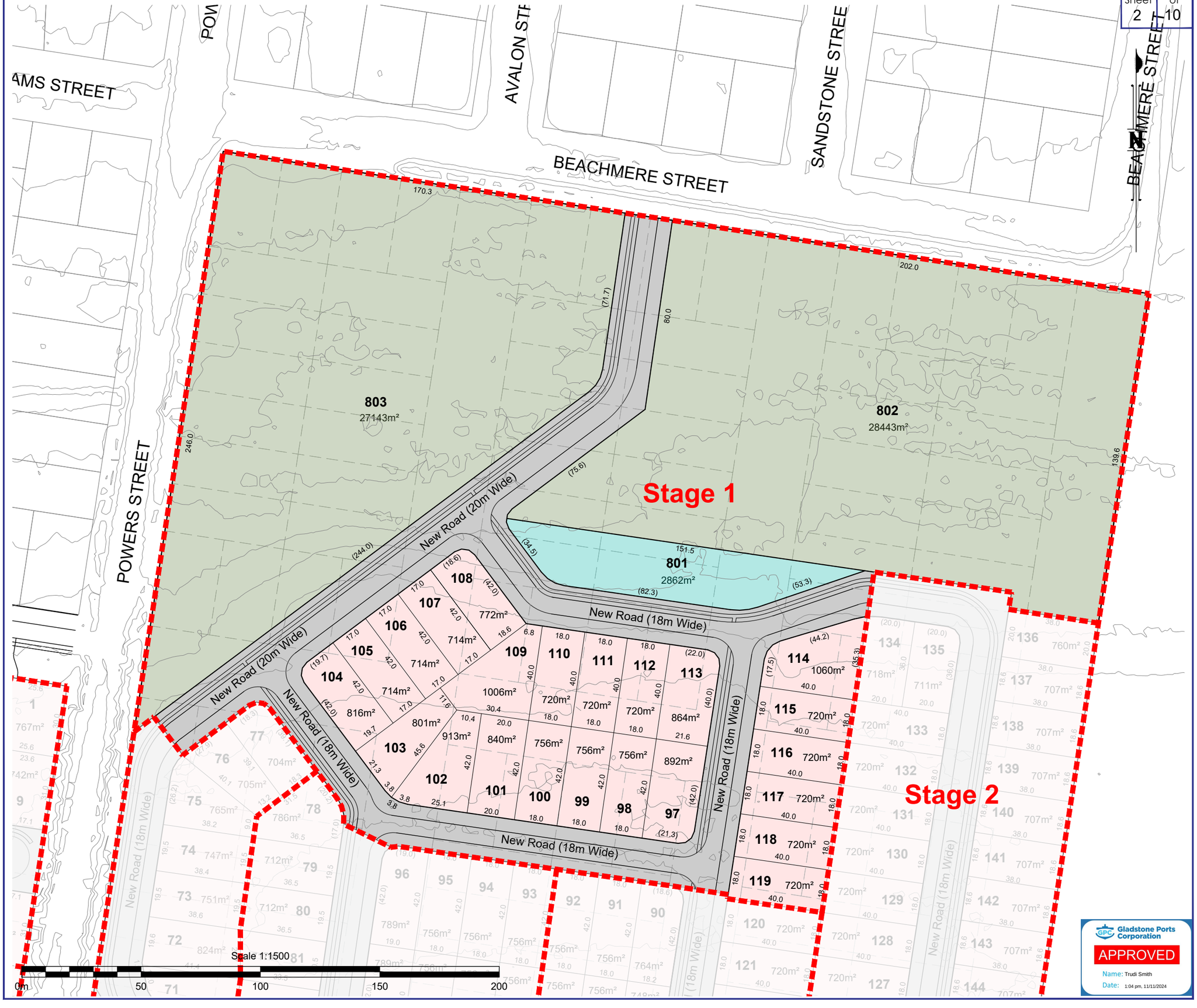
Client:	TRUSTEES FOR THE ESTATE OF GRACE RICKERT		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:2500
Comp File:			
Plan No:	220239_006_PRO		

A3

Gladstone Ports Corporation
APPROVED
Name: Trudi Smith
Date: 1:04 pm, 11/11/2024

BENNETT + BENNETT
PO Box 5021, GCMC QLD 9726
Ph: (07) 5631 8000
mail@bennettandbennett.com.au
Surveying, Town Planning & Spatial Services
GOLD COAST | BRISBANE | SUNSHINE COAST | NORTHERN RIVERS
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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	23
Open Space Lots	2
Stormwater Treatment Lots	1
Total Lots	26
Residential Lot Area	1.814ha
Average Size of residential Lots	788m²
Open Space Area	5.559ha
Stormwater Treatment Area	0.286ha
New Road Area	1.506ha
Stage Area	9.165ha

NOTES:
1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
4. Contours are derived from State LIDAR data.
5. All dimensions and areas are subject to final survey.
6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
7. Burnett River boundary shown as per DCDB and subject to final river boundary survey

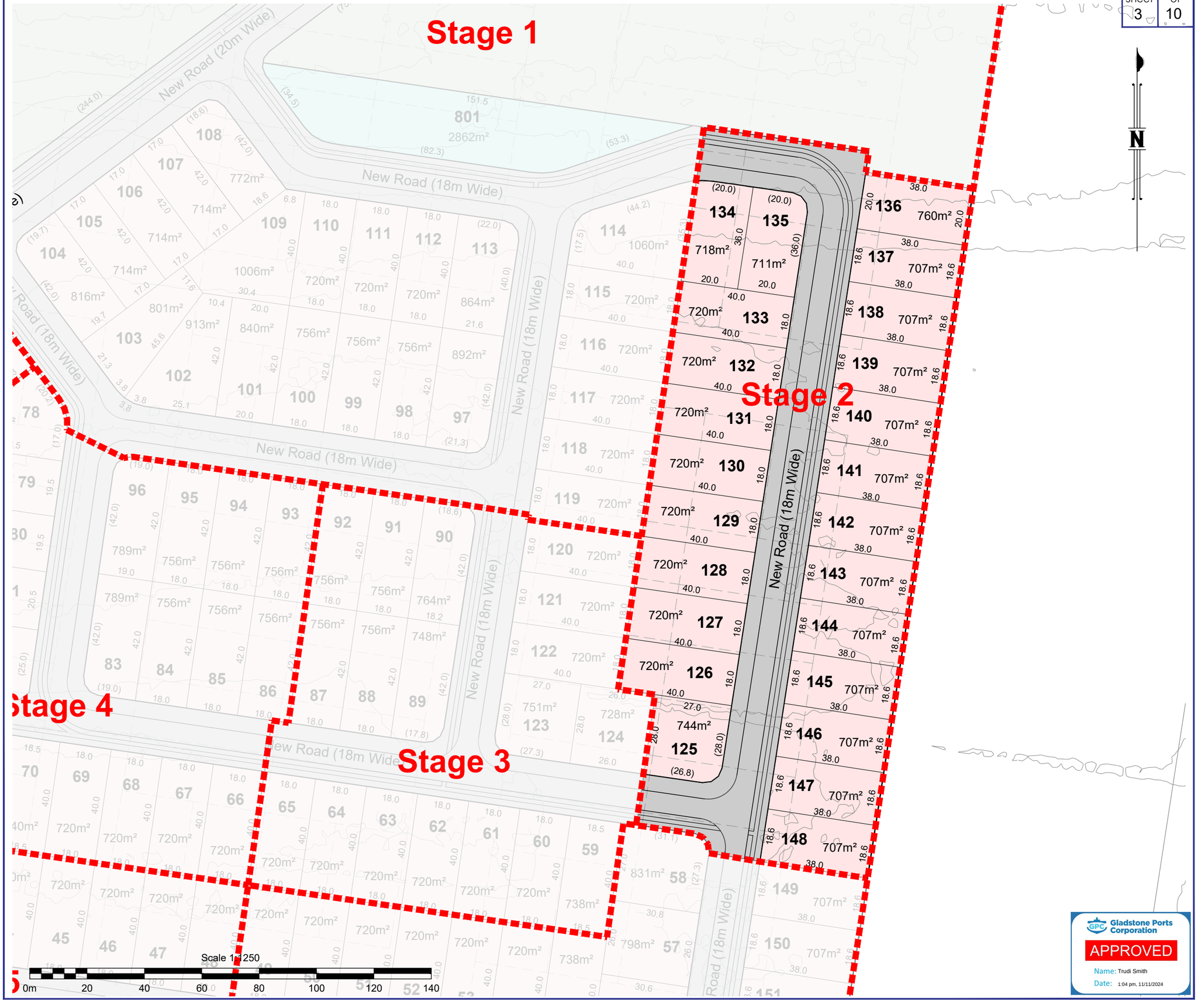
Issue	Revision	Int	Date
H	Layout Updated	HK	22/08/2024
G	Response to IR	HK	21/03/2024
F	Stage7,8 & 9 Updated	HK	14/11/2023
E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:
Proposed Reconfiguration Stage 1
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1500
Comp File:			
Plan No:	**220239_006_PRO**		

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Name: Trudi Smith
Date: 1:04 pm, 11/11/2024



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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	24
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	24
Residential Lot Area	1.718ha
Average Size of residential Lots	716m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.574ha
Stage Area	2.292ha

NOTES:
1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
4. Contours are derived from State LIDAR data.
5. All dimensions and areas are subject to final survey.
6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
7. Burnett River boundary shown as per DCDB and subject to final river boundary survey.

Issue	Revision	Int	Date
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E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:
Proposed Reconfiguration Stage 2
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	**220239_006_PRO**		

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Stage 2
Stage 3
Stage 4
Stage 5
Stage 6

N

LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	18
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	18
Residential Lot Area	1.323ha
Average Size of residential Lots	735m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.389ha
Stage Area	1.712ha

NOTES:
1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
4. Contours are derived from State LIDAR data.
5. All dimensions and areas are subject to final survey.
6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
7. Burnett River boundary shown as per DCDB and subject to final river boundary survey.

Issue	Revision	Int	Date
H	Layout Updated	HK	22/08/2024
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F	Stage7,8 & 9 Updated	HK	14/11/2023
E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:
Proposed Reconfiguration
Stage 3
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	**220239_006_PRO**		

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Stage 2

Stage 3

Stage 4

Stage 5

Stage 6

N

LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	18
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	18
Residential Lot Area	1.349ha
Average Size of residential Lots	750m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.351ha
Stage Area	1.70ha

NOTES:
1. Drawn to scale on an A3 sheet.
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A	Original Issue		4/08/2023

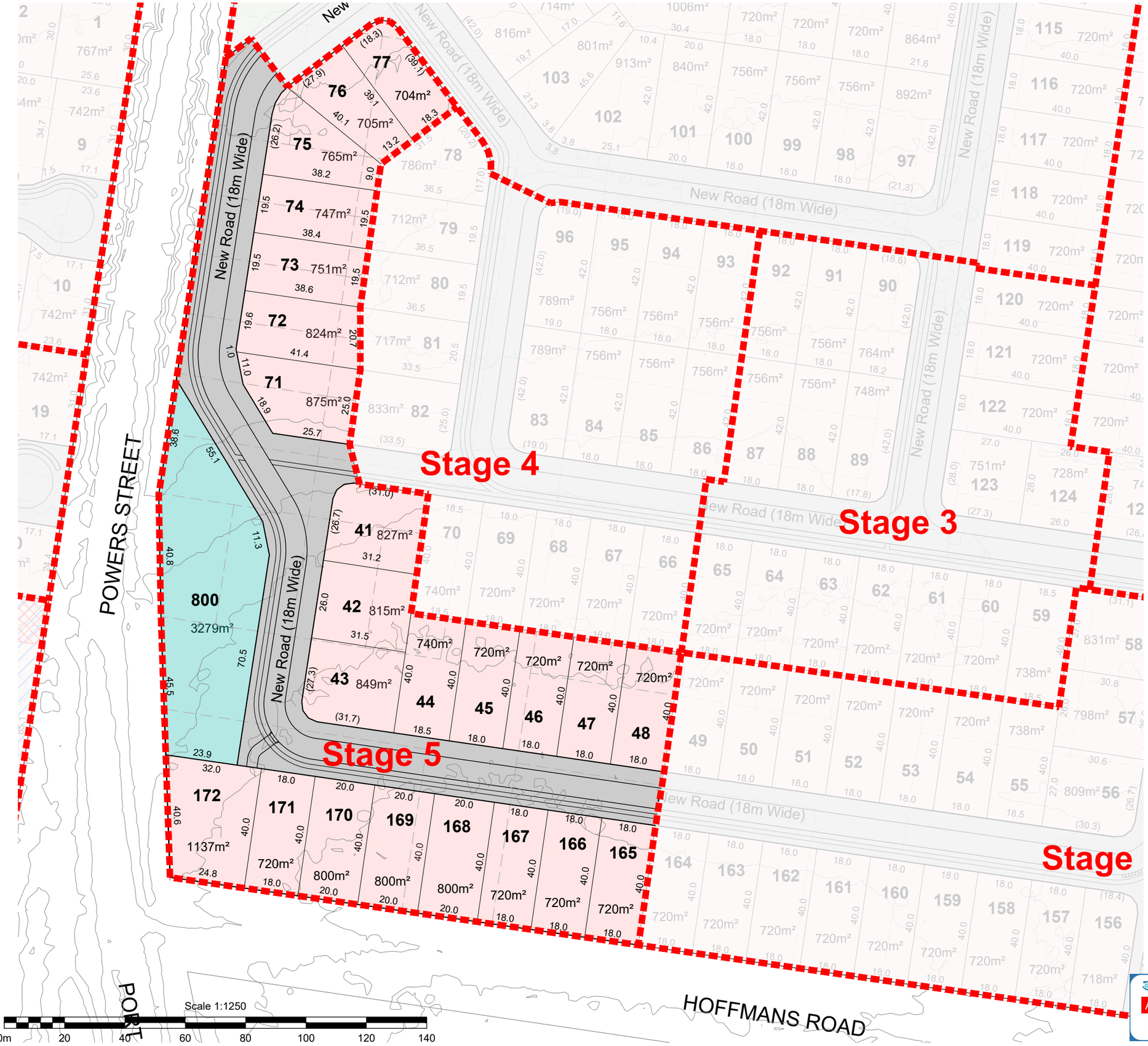
Title:
Proposed Reconfiguration
Stage 4
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	**220239_006_PRO**		

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Gladstone Ports Corporation
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Name: Trudi Smith
Date: 1:05 pm, 11/11/2024

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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	23
Open Space Lots	0
Stormwater Treatment Lots	1
Total Lots	24
Residential Lot Area	1.790ha
Average Size of residential Lots	778m²
Open Space Area	Nil
Stormwater Treatment Area	0.328ha
New Road Area	0.711ha
Stage Area	2.829ha

NOTES:

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6. Design is conceptual only and subject to detailed design, consultant input and relevant authority approvals.
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F	Stage7,8 & 9 Updated	HK	14/11/2023
E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:

Proposed Reconfiguration Stage 5

Powers Street, Burnett Heads

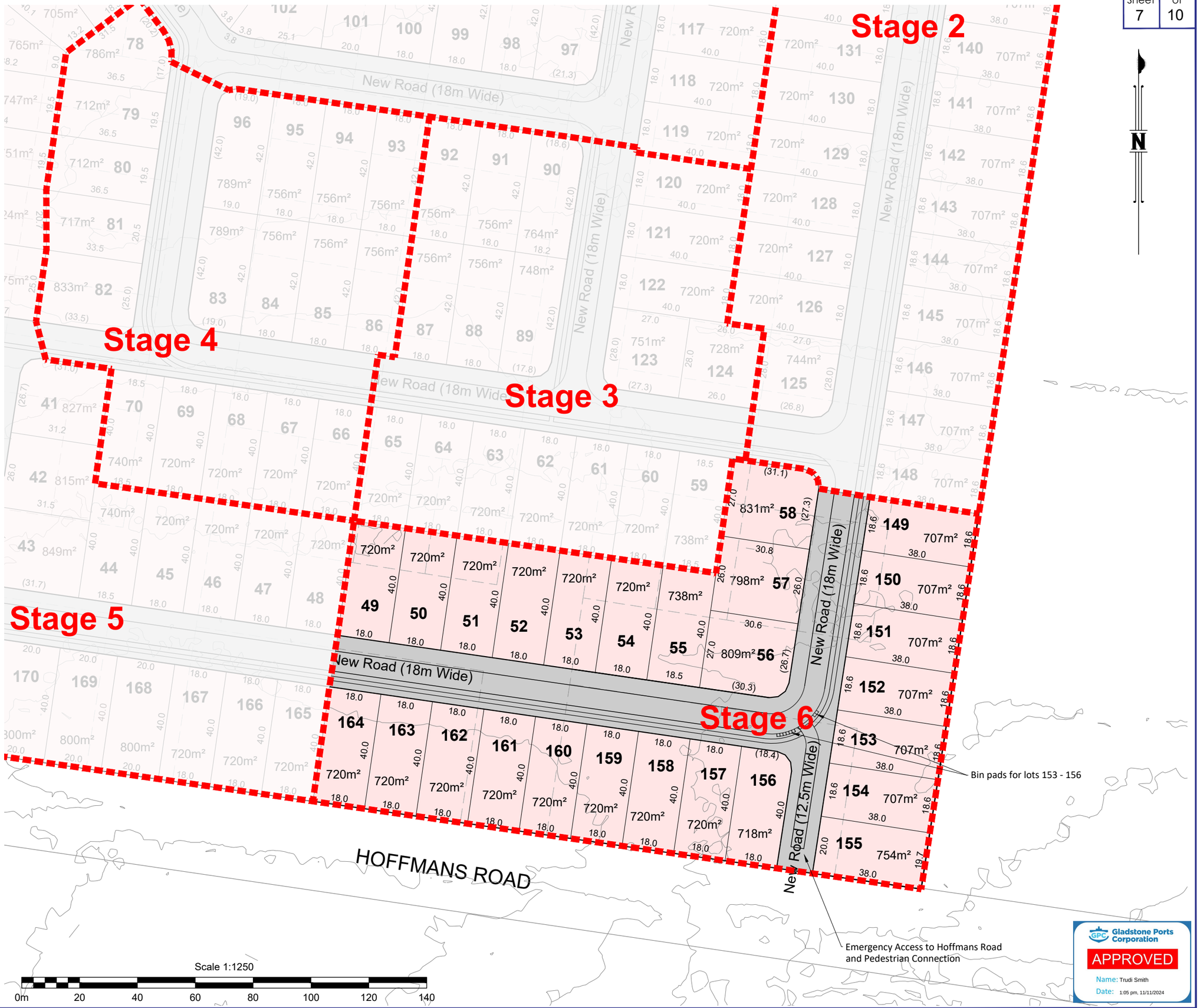
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	**220239_006_PRO**		

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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	26
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	26
Residential Lot Area	1.897ha
Average Size of residential Lots	730m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.499ha
Stage Area	2.396ha

NOTES:
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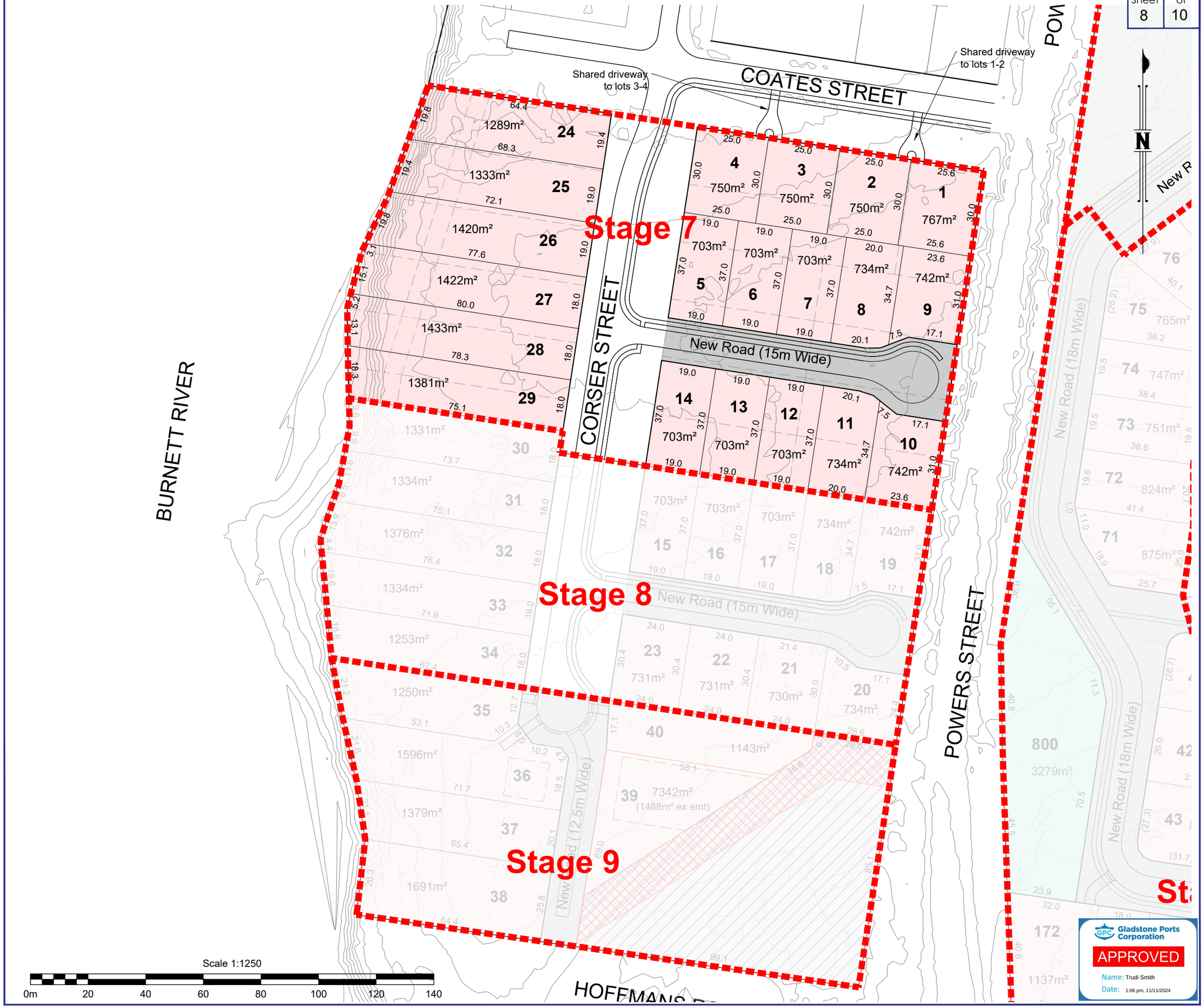
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C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:
Proposed Reconfiguration Stage 6
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	TRUSTEES FOR THE ESTATE OF GRACE RICKERT		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	220239_006_PRO		

Gladstone Ports Corporation
APPROVED
Name: Trudi Smith
Date: 1:05 pm, 11/11/2024

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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	20
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	20
Residential Lot Area	1.846ha
Average Size of residential Lots	922m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.178ha
Stage Area	2.024ha

NOTES:
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B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:

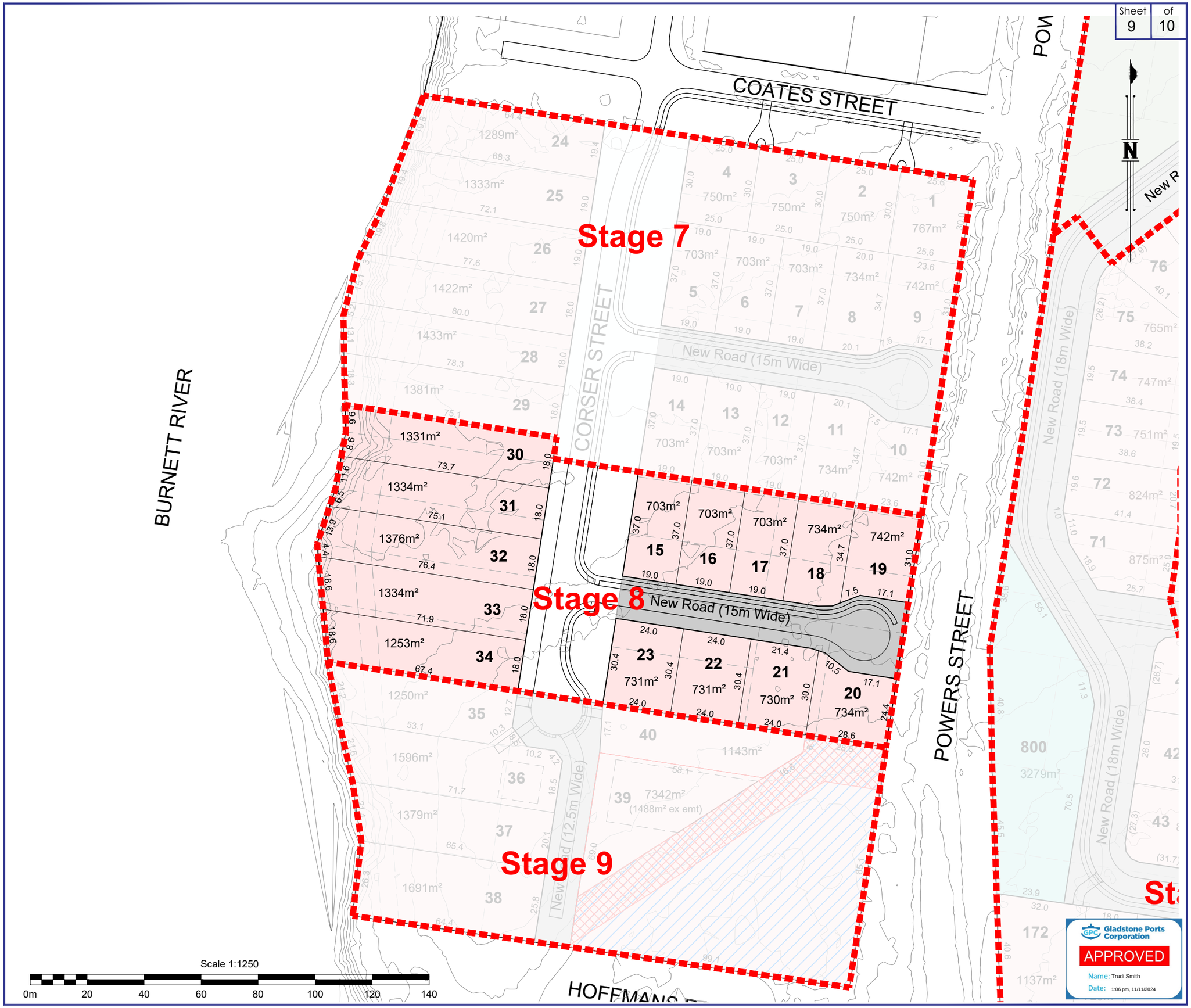
Proposed Reconfiguration Stage 7

Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	TRUSTEES FOR THE ESTATE OF GRACE RICKERT		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	220239_006_PRO		

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Gladstone Ports Corporation
APPROVED
Name: Trudi Smith
Date: 1:06 pm, 11/11/2024



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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	14
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	14
Residential Lot Area	1.314ha
Average Size of residential Lots	938m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.178ha
Stage Area	1.492ha

NOTES:
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3. Contour Interval:0.5m
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F	Stage7,8 & 9 Updated	HK	14/11/2023
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C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:

Proposed Reconfiguration Stage 8

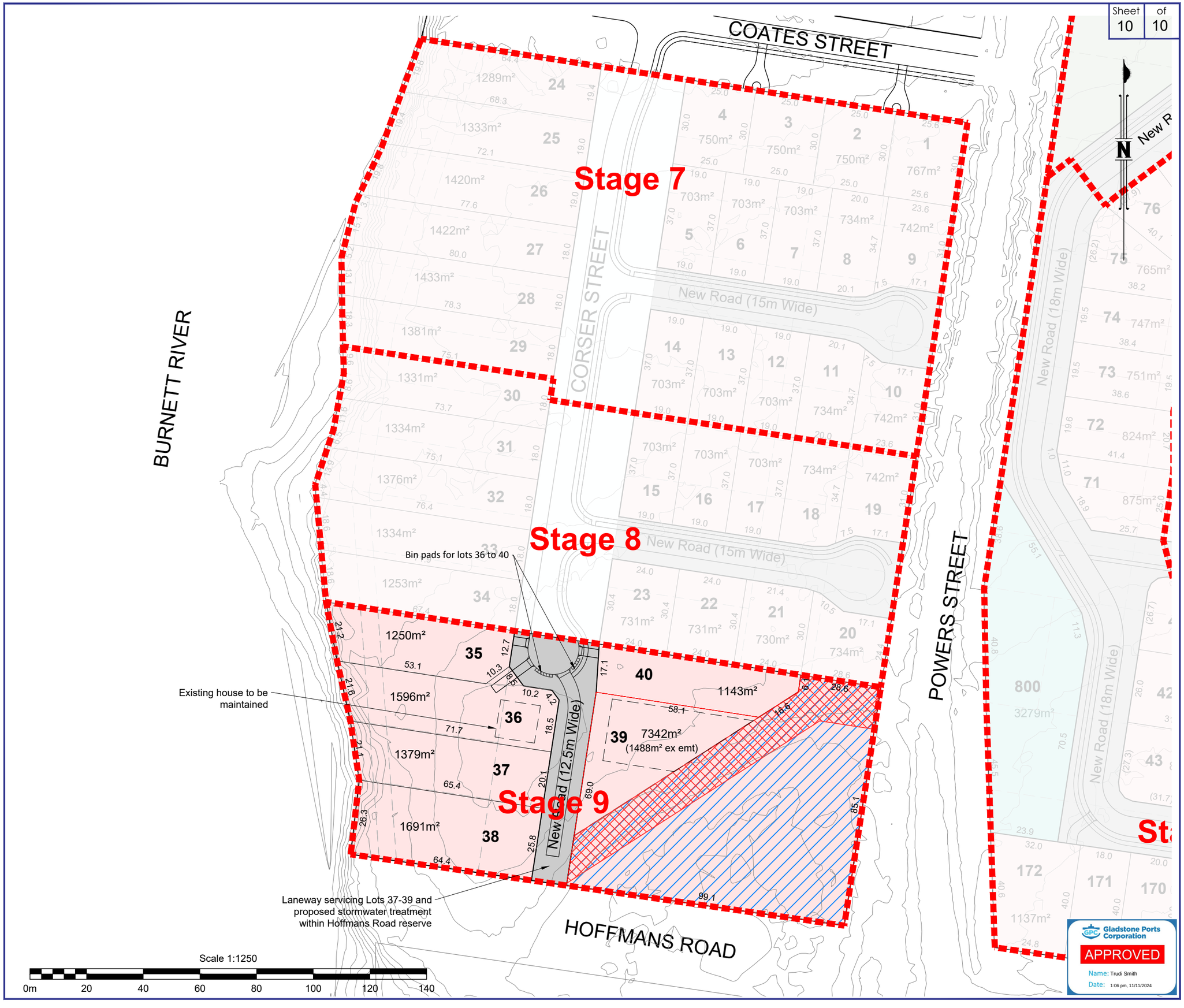
Powers Street, Burnett Heads

(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	TRUSTEES FOR THE ESTATE OF GRACE RICKERT		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
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Plan No:	220239_006_PRO		

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Name: Trudi Smith
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LEGEND:

- Subject Site
- Open Space
- Bushfire APZ - Covenant
- Stormwater Treatment Area
- Stormwater Drainage Easement

DEVELOPMENT SUMMARY:

Residential Lots	6
Open Space Lots	0
Stormwater Treatment Lots	0
Total Lots	6
Residential Lot Area	1.440ha
Average Size of residential Lots	2400m²
Open Space Area	Nil
Stormwater Treatment Area	Nil
New Road Area	0.141ha
Stage Area	1.581ha

NOTES:
1. Drawn to scale on an A3 sheet.
2. All levels are in metres on the Australian Height .
3. Contour Interval:0.5m
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5. All dimensions and areas are subject to final survey.
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E	New Roads Area updated	HK	27/09/2023
D	Stage Details Added	HK	13/09/2023
C	Layout Revised	HK	10/08/2023
B	River edge revised	DR	8/08/2023
A	Original Issue		4/08/2023

Title:
Proposed Reconfiguration Stage 9
Powers Street, Burnett Heads
(Described as Lots 11-44, 65-184, 205-232, 235 & 236 on RP7182, Lots 5 & 167 on CK1415 & Lot 14 on RP166529)

Client:	**TRUSTEES FOR THE ESTATE OF GRACE RICKERT**		
Locality:	BURNETT HEADS		
Local Gov:	BRC	Prepared By:	DR
Surveyed By:		Approved:	
Date Created:	13/05/2022	Scale:	1:1250
Comp File:			
Plan No:	**220239_006_PRO**		

Gladstone Ports Corporation
APPROVED
Name: Trudi Smith
Date: 1:06 pm, 11/11/2024

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Attachment 4 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.

Note—

For limitations on appeal rights in relation to a development approval for development requiring social impact assessment, see section 106ZJ.

(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—

Authorised by the Parliamentary Counsel

(i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

(ii) the building is, or is proposed to be, not more than 3 storeys; and

(iii) the proposed development is for not more than 60 sole-occupancy units; or

(e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or

(f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or

(g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

(h) a decision to give an enforcement notice—

(i) in relation to a matter under paragraphs (a) to (g); or

(ii) under the *Plumbing and Drainage Act 2018*; or

(i) an infrastructure charges notice; or

(j) the refusal, or deemed refusal, of a conversion application; or

(l) a matter prescribed by regulation.

(3) Also, table 1 does not apply to a tribunal if the matter involves—

(a) for a matter in subsection (2)(a) to (d)—

(i) a development approval for which the development application required impact assessment; and

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(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.

Authorised by the Parliamentary Counsel

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

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	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

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
3. Extension applications For an extension application other than an extension application called in by the Minister or made to the chief executive under section 87A, 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.			

Authorised by the Parliamentary Counsel

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

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	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.

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Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
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	—	—
6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.			

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Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the 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
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 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	—	—

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.

<table>
<tr><th colspan="4">Table 2
Appeals to the P&E Court only</th></tr>
<tr><td>Column 1
Appellant</td><td>Column 2
Respondent</td><td>Column 3
Co-respondent
(if any)</td><td>Column 4
Co-respondent
by election (if
any)</td></tr>
<tr><td>A party to the proceedings for the decision</td><td>The other party to the proceedings for the decision</td><td>—</td><td>—</td></tr>
<tr><td colspan="4">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.</td></tr>
<tr><td>Column 1
Appellant</td><td>Column 2
Respondent</td><td>Column 3
Co-respondent
(if any)</td><td>Column 4
Co-respondent
by election (if
any)</td></tr>
<tr><td>1 For a development application—an eligible submitter for the development application
2 For a change application—an eligible submitter for the change application</td><td>1 For a development application—the assessment manager
2 For a change application—the responsible entity</td><td>1 The applicant
2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</td><td>Another eligible submitter for the application</td></tr>
</table>

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Table 2
Appeals to the P&E Court only

3. Eligible submitter and eligible advice agency appeals

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

(a) any part of the development application or change application that required impact assessment; or

(b) a variation request.

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

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Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.			

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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 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 3 If the decision is to amend the registration of premises to include additional land in the affected area for the premises—an owner or occupier of premises within the additional land who is dissatisfied with the decision	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises

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

Table 3 Appeals to a tribunal only
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.

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Table 3
Appeals to a tribunal only

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A 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
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 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	—	—
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.			

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Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who 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.			
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	—	—
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.			

Authorised by the Parliamentary Counsel

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

Attachment 5 Right of Appeal Waiver

Gladstone Ports Corporation
Growth, prosperity, community.

Mail to: Gladstone Ports Corporation Limited

Email address: planning@gpcl.com.au

Attention: Planning and Strategy (Planning)

GPC Reference: _____

Property Address: _____

Real Property Description: _____

Proposed Development: _____

_____

This advice is to confirm that I/We have received the above approval and agree to the conditions contained therein. I/We hereby waiver My/Our appeal rights available under the *Planning Act* 2016.

Applicant's Name: _____

Signature: _____

Date: _____/_____/_____