



Our Ref: LM:MF:DA/4150:D20/13765

Your Ref: M5-19

21 May 2020

Brisbane Congregation of Jehovah's Witnesses Incorporated  
As bare trustee for the Cooktown Congregation of  
Jehovah's Witnesses  
C/- U&i Town Plan  
PO Box 280  
Ingleburn NSW 1890  
Attention: Ramon Samanes

Dear Mr Samanes

**Decision Notice - Approval (with conditions)**  
Given under section 63 of the *Planning Act 2016*

The development application described below was properly made to Cook Shire Council on 21 February 2020.

**Applicant details**

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Applicant name: Brisbane Congregation of Jehovah's Witnesses Incorporated  
As bare trustee for the Cooktown Congregation of  
Jehovah's Witnesses  
C/- U&i Town Plan  
PO Box 280  
Ingleburn NSW 1890

Applicant contact details: C/- Ramon Samanes, U&i Town Plan

**Application details**

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Application number: DA/4150

Approval sought: Development Permit for a Material Change of Use

Description of the development proposed: Place of Worship

**Location details**

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Street address: 86 Charlotte Street Cooktown

Real property description: Lot 106 on C1793

## Decision

Date of decision: 19 May 2020

Decision Details: Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

## Details of the approval

Development Permit: Material Change of Use for a Place of Worship

## Conditions

This approval is subject to the conditions in Attachment 1.

## Further development permits

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

1. Development Permit for carrying out Building Works;
2. Development Permit for carrying out Plumbing/Drainage Works;
3. Development Permit for carrying out Operational Works

## Properly made submissions

Not applicable - no part of the application required public notification.

## Referral Agencies

The referral agencies for the application are:

Referral Agency	Referral Matter	Referral Role
Chief Executive - Department of State Development, Manufacturing, Infrastructure and Planning  Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: (07) 07 4048 1111 Email: CairnsSARA@dsdmip.qld.gov.au  MyDAS2 online referrals: <a href="https://prod2.dev-assess.qld.gov.au/">https://prod2.dev-assess.qld.gov.au/</a>	Schedule 10, Part 8, Division 2, Subdivision 2, Table 2 – Queensland Heritage Place	Concurrence

## Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed in Attachment 1.

## Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

## **Lapsing of approval if development started but not completed**

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Any period required under a development condition.

## **Rights of appeal**

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

An applicant and/or submitter may appeal to the Planning and Environment Court or the Development tribunal against a number of matters (see Schedule 1 of the *Planning Act 2016*).

A copy of the extracts of the above referenced sections of the *Planning Act 2016* are attached (Attachment 2).

For further information please contact Council's Planning Officer Michael Fallon on (07) 4082 0500.

Yours sincerely



Lisa Miller  
Manager Planning and Environment  
Cook Shire Council

cc: Chief Executive – Department of State Development, Manufacturing, Infrastructure and Planning  
Far North Queensland Regional Office  
Cairns QLD 4870  
Email: CairnsSARA@dsmip.qld.gov.au

enc: **Attachment 1 (Part 1)** – Conditions imposed by the Assessment Manager

**Attachment 1 (Part 2)** – Conditions imposed by a Concurrence Agency

**Attachment 2** – Extract of Appeal Provisions (Chapter 6, Part 1 and Part 2 and Schedule 1 of the *Planning Act 2016*)

**A. Assessment Manager (Council) Conditions**

**Approved Plans**

1. The development must be carried out generally in accordance with the following plans (Appendix 'A') submitted with the application, except for any variations required to comply with the conditions of this approval:
  - Proposed Site Plan – Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01;
  - Proposed Floor Plan - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA02;
  - Proposed Elevations - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA03;
  - External Signage - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA04;
  - External Finishes - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA05;
  - Civil Cover Sheet - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: C00;
  - Proposed Site Grading Plan - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO1;
  - Proposed Stormwater Management Plan - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO2;
  - Civil Details - Brisbane Congregation of Jehovah’s Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO3.

**Water Supply**

2. The development must be connected to the reticulated water supply at the time of construction at full cost to the applicant.
3. Water service connection for the development must be a minimum of 25mm service.

**Sewerage**

4. The development must be connected to the reticulated sewerage scheme at the time of construction, at full cost to the applicant. Plans must be submitted for approval by Council’s Plumbing Inspector prior to works commencing.

**Amenity**

5. There shall be no adverse impact on the amenity of the surrounding area by reason of light, nuisance, dust or noise.

## **Access**

6. Access to the proposed development must be from Charlotte Street and be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01'.
7. Access from the property boundary to the Charlotte Street frontage must be sealed with concrete and be constructed to the requirements of the FNQROC Development Manual Drawing S1015, and Design Manual D1, Road Geometry, section D1.17.
8. Access construction must not damage or disturb the existing Queensland Heritage Place – the Early Granite Kerbing and Channelling.
9. The applicant must submit a Traffic Management Plan written by a suitably qualified person for the works on the road reserve. This must be submitted for approval by Council's Director Infrastructure prior to works commencing.

## **Internal Car Parking**

10. The development must make provision for nine (9) off-street car parking spaces (including one (1) Persons with Disability (PWD) accessible car park). The PWD car park must be marked as such.
11. The internal car parking spaces must be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01', and be concrete sealed. Car parking spaces must comply with the Australian Standard and be constructed to the requirements of the FNQROC Manual. Engineering drawings must be submitted as part of an Operational Works application for approval by Council's Director Infrastructure prior to works commencing.

## **Internal Driveway**

12. The internal driveway must be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01'. The internal driveway must be concrete sealed, a minimum of three (3) metres wide, and constructed to the requirements of the FNQROC Manual. Engineering drawings must be submitted as part of an Operational Works application for approval by Council's Director Infrastructure prior to works commencing.

## **Operational Works**

13. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
  - Access Construction (Condition 7);
  - Internal Driveway and Car Parking (Condition 11 and 12).
14. The application will need to include plans prepared by a Registered Professional Engineer Queensland (RPEQ) in accordance with the FNQROC Development Manual that are to the satisfaction of Council's Director Infrastructure.

## **Stormwater**

15. Stormwater drainage must be in accordance with the approved 'Proposed Stormwater Management Plan - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO2' and be directed to a legal point of discharge.

### **Electricity**

16. The development must be connected to the reticulated electricity supply.

### **Fencing**

17. The development must be provided with a 1.8 metre high solid screen fencing along the side and rear boundaries of the development site.

### **Landscaping**

18. Landscaping must be provided as follows:

- A landscaping strip minimum width of one (1) metre must be provided along the side and rear boundaries;
- Plantings must be in accordance with Council's Landscaping Planning Scheme Policy;
- Landscaped areas must be subject to regular and on-going maintenance, including the timely replacement of damaged or dead plants;
- Landscaping must enhance the residential amenity of the development; and
- A detailed Landscaping Plan must be provided to Council for approval by Council's Manager Planning and Environment at the time of application for carrying out Building Work.

### **Refuse Bins**

19. Refuse bins must not be stored on the Charlotte Street frontage for any period greater than twenty-four (24) hours.

### **Colour Scheme**

20. The colour scheme used on the development must be sympathetic to the buildings architectural style and the streetscape generally. Details of the colour scheme to be used must be submitted to Council's Manager Planning and Environment for approval at the time of building application.

### **Outstanding Charges**

21. All rates, service charges, interest and other charges levied on the land are to be paid prior to the certificate of classification.

### **Public Utilities**

22. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this approval.

### **Currency Period**

23. The currency period for this development approval is six (6) years. Should the use of the Place of Worship not be established within this time, the approval shall lapse.

### **Environmental Protection**

24. The development is to comply with the provisions of the *Environmental Protection Act 1994* in relation to dust, noise, wastewater and any other contaminants that may cause environmental harm or nuisance, particularly during construction activities.

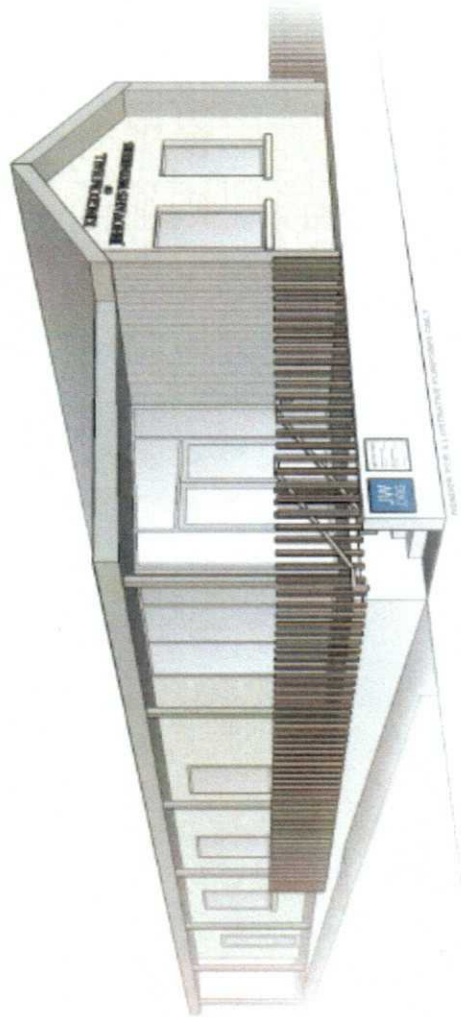
### **Filling and Excavation**

25. Filling and excavation works are to comply with the FNQROC Development Manual.

**B. Assessment Manager (Council) Advice**

1. A development permit is required for carrying out Building Works, and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to construction of any buildings associated with this development.
2. The applicant/owner must notify Council of their intention to commence the use after acceptable of and compliance with these conditions, or negotiated decisions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003*, and in particular - 'the duty of care' that it imposes on all landowners.

PROPOSED PLACE OF WORSHIP  
 ARCHITECTURAL DRAWINGS FOR DEVELOPMENT APPROVAL  
 86 CHARLOTTE STREET, COOKTOWN QLD



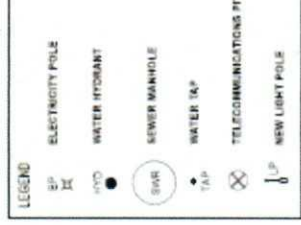
- DA00 COVER SHEET
- DA01 PROPOSED SITE PLAN
- DA02 PROPOSED FLOOR PLAN
- DA03 PROPOSED ELEVATIONS
- DA04 EXTERNAL SIGNAGE
- DA06 EXTERNAL FINISHES

		DRAWING TITLE COVER SHEET	JOB CODE 80104	DWG No DA00
	CLIENT BRISBANE CONGREGATION OF JEHOVAH'S WITNESSES INC	PROJECT PROPOSED PLACE OF WORSHIP 86 Charlotte Street, COOKTOWN QLD 4865	DESIGN MC DESIGNER MC DRAWN BY NC CHECKED BY P2	REVISION P2

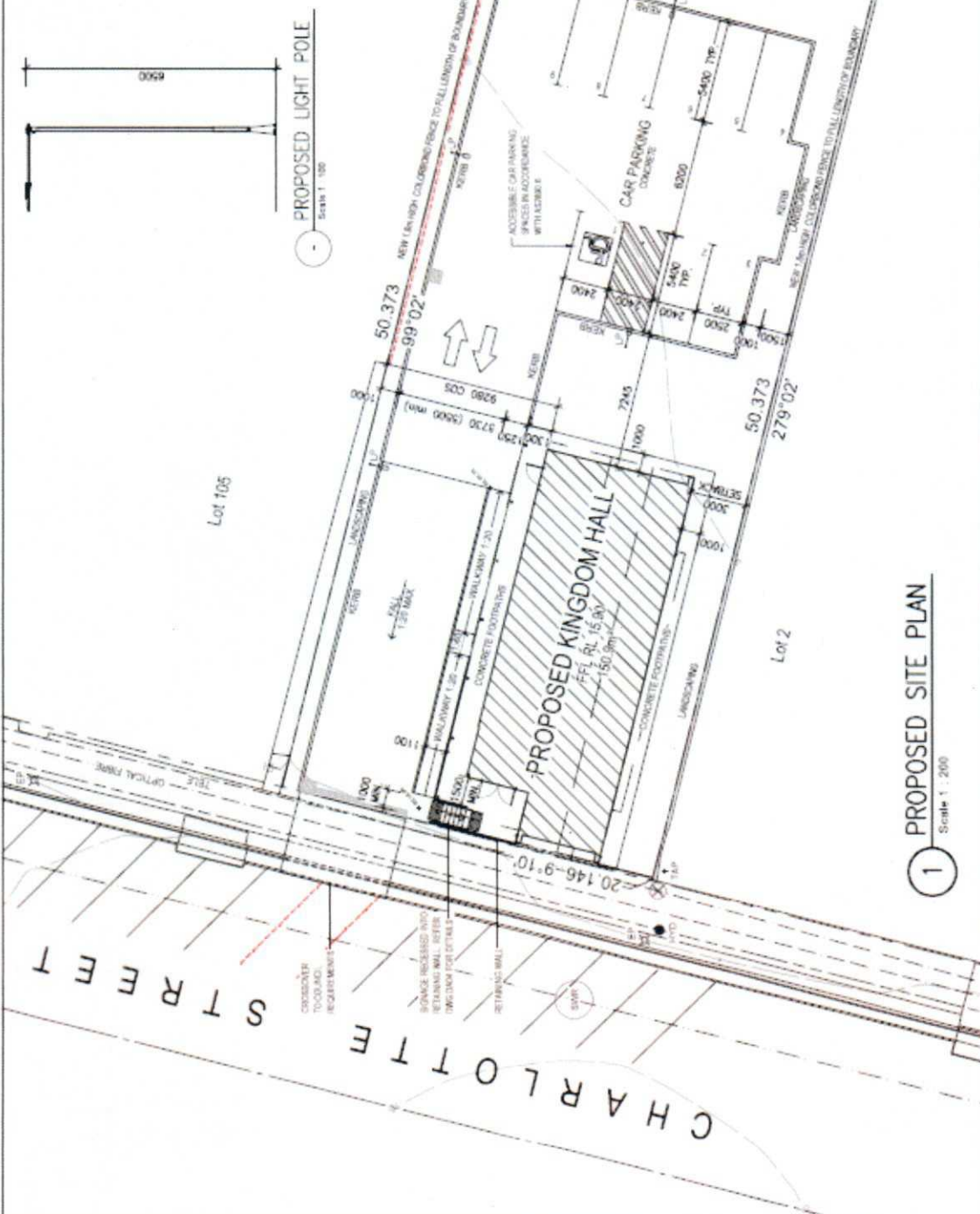
ORIGINAL SHEET SIZE = A3



LOCAL GOVERNMENT -  
Cook Shire Council  
LOCALITY - Cooktown  
SITE DETAILS  
SITE AREA 10.0m<sup>2</sup>  
PROPOSED BUILDING 100.0m<sup>2</sup>  
SITE COVERAGE 14.5%



NOTE  
ITEMS TO BE REMOVED OR RELOCATED ARE  
SHOWN IN RED AND DASHED



1 PROPOSED SITE PLAN  
Scale 1:200

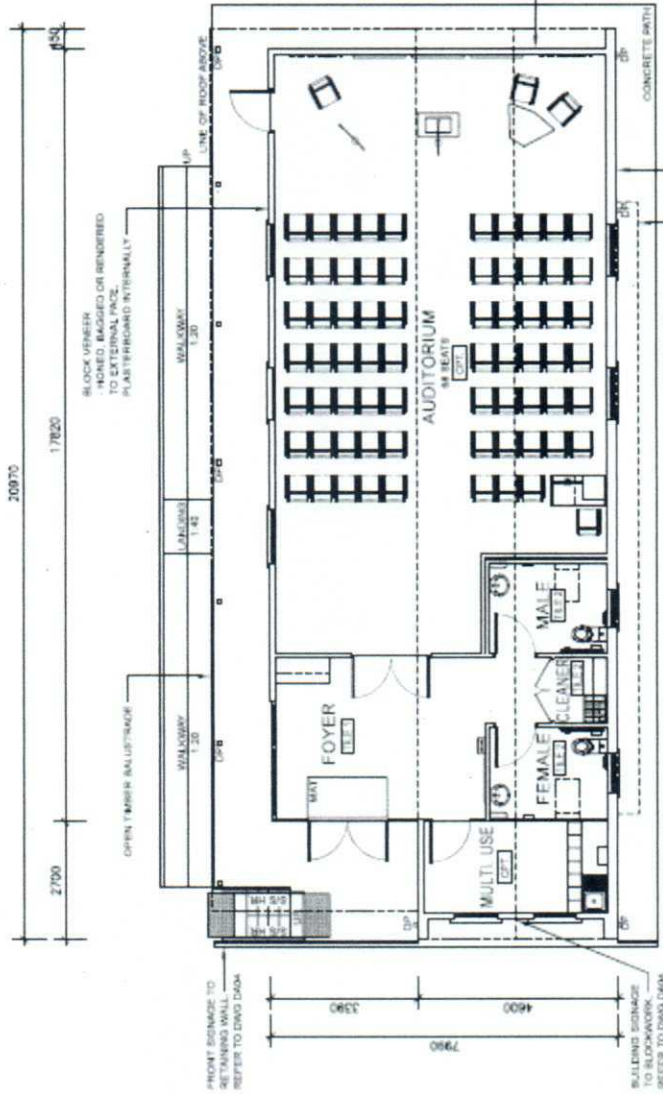
LOT CODE	50104	TWS No	DA01
DESIGN	MC	DRAWN	MC
SCALE @ A3	1:200	1:100	
REVISION	P2		

PROPOSED SITE PLAN  
CLIENT: BRISBANE CONGREGATION OF JEHOVAH'S WITNESSES INC.  
PROJECT: PROPOSED PLACE OF WORSHIP  
85 Charlotte Street, COOKTOWN QLD 4885

REV	DATE	DESCRIPTION
01	07/02/25	ISSUED FOR DEVELOPER APPROVAL
02	31/02/25	REVISED FOR FEEDBACK



ORIGINAL SHEET SIZE: A3



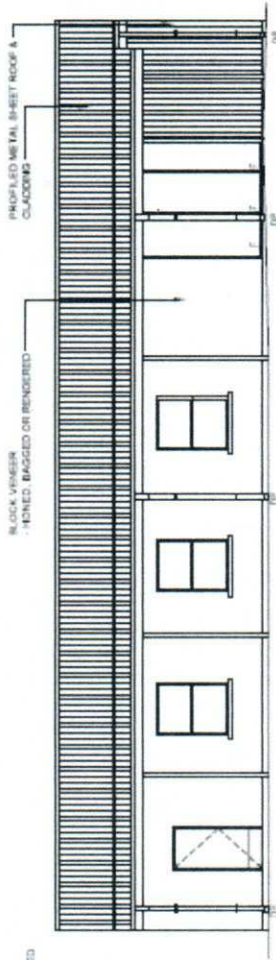
**1** PROPOSED FLOOR PLAN  
Scale 1 : 100

**TOTAL AREAS:**  
FLOOR (BUILDING) 150.78m<sup>2</sup>  
(MEASURED TO OUTSIDE FACE OF EXT. WALL)  
ROOF 197.78m<sup>2</sup>

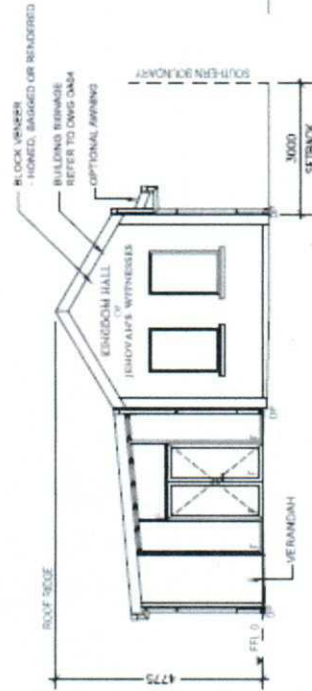
		DATE		DRAWING TITLE	JOB CODE	DWG NO
		REV	DATE			
0	10	20	30	40	50m	
				PARK REACTION BAR (A) SHEET		
				PROPOSED FLOOR PLAN		
				CLIENT BRISBANE CONGREGATION OF JEHOVAH'S WITNESSES INC		
				PROJECT PROPOSED PLACE OF WORSHIP		
				86 Charricote Street, COOKTOWN QLD 4865		
				50104	DA02	1:100
				MC	MC	1:100
				DA03	DA03	1:100
				P2	P2	1:100



ORIGINAL SHEET SIZE: A3

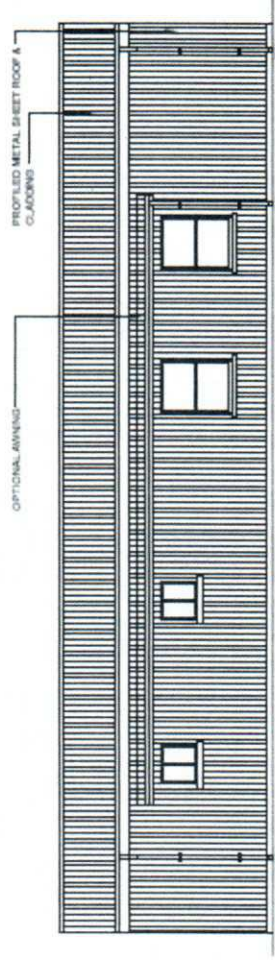


1 WEST ELEVATION  
Scale 1 : 100



3 EAST ELEVATION  
Scale 1 : 100

2 NORTH ELEVATION  
Scale 1 : 100



4 SOUTH ELEVATION  
Scale 1 : 100



NO.	DATE	DESCRIPTION
01	27/07/20	ISSUED FOR REVIEW #1
02	07/08/20	ISSUED FOR DEVELOPMENT APPROVAL

DRAWING TITLE: PROPOSED ELEVATIONS  
 CLIENT: BRISBANE CONGREGATION OF JERUHOAH'S WITNESSES INC.  
 PROJECT: PROPOSED PLACE OF WORSHIP  
 85 Charlotte Street, COOKTOWN QLD 4885

JOB CODE: 90104 DWG NO: DA03  
 DESIGNER: MC DONALD  
 CHECKER: G.A.  
 REVISION: P2

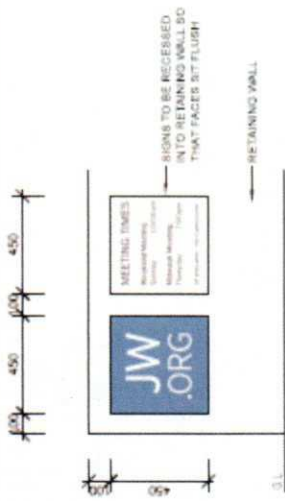
ORIGINAL SHEET SIZE: A3

**FRONT SIGNAGE NOTES:**

1. THE EXTERNAL SIGNAGE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE BUILDING ELEVATIONS AND SITE PLAN.
2. MATERIAL: 3MM ALUMINIUM COMPOSITE MATERIAL (ACM) SIGNAGE PANELS - WHITE COLOUR.
3. BLACK COLOUR VINYL CUT LETTERING, SANS SERIF FONT (WORKING AS SHOWN).
4. VISIBLE COLOUR VINYL CUT (KODAK) LOGO.
5. ALL SIGNAGE PANELS ARE NON-ILLUMINATED.
6. FINAL SIGNAGE LOCATIONS, SIZES, ETC. TO SUIT LOCAL COUNCIL REQUIREMENTS.
7. MEETING TIMES TO BE CONFIRMED WITH THE LOCAL CONGREGATION PRIOR TO SIGN FABRICATION.

**BUILDING SIGNAGE NOTES:**

1. THE EXTERNAL SIGNAGE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE BUILDING ELEVATIONS AND SITE PLAN.
2. MATERIAL: TBA
3. 15M COLOUR LETTERING, OLD ROMAN STYLE FONT (WORKING AS SHOWN).
4. FINAL SIGNAGE LOCATIONS, SIZES, ETC. TO SUIT LOCAL COUNCIL REQUIREMENTS.



**FRONT SIGNAGE PANEL**



**BUILDING SIGNAGE**

**SIGNAGE - EXTERNAL**



REV	DATE	DESCRIPTION
P2	01/02/20	ISSUED FOR DEVELOPMENT APPROVAL
P1	27/07/19	ISSUED FOR REVIEW

JOB NO: 90104		DATE: 1/28
JOB CODE: 90104		REV: P2
DRAWING TITLE: EXTERNAL SIGNAGE		
CLIENT: BRISBANE CONGREGATION OF JEHOVAH'S WITNESSES INC		
PROJECT: PROPOSED PLACE OF WORSHIP		
86 Charlotte Street, COOKTOWN QLD 4895		

DA04

ORIGINAL SHEET SIZE: A3

LIGHT GREY - CORRUGATED PROFILE ROOFING / CLADDING

LIGHT BEIGE - BLOCK VENEER FINISH

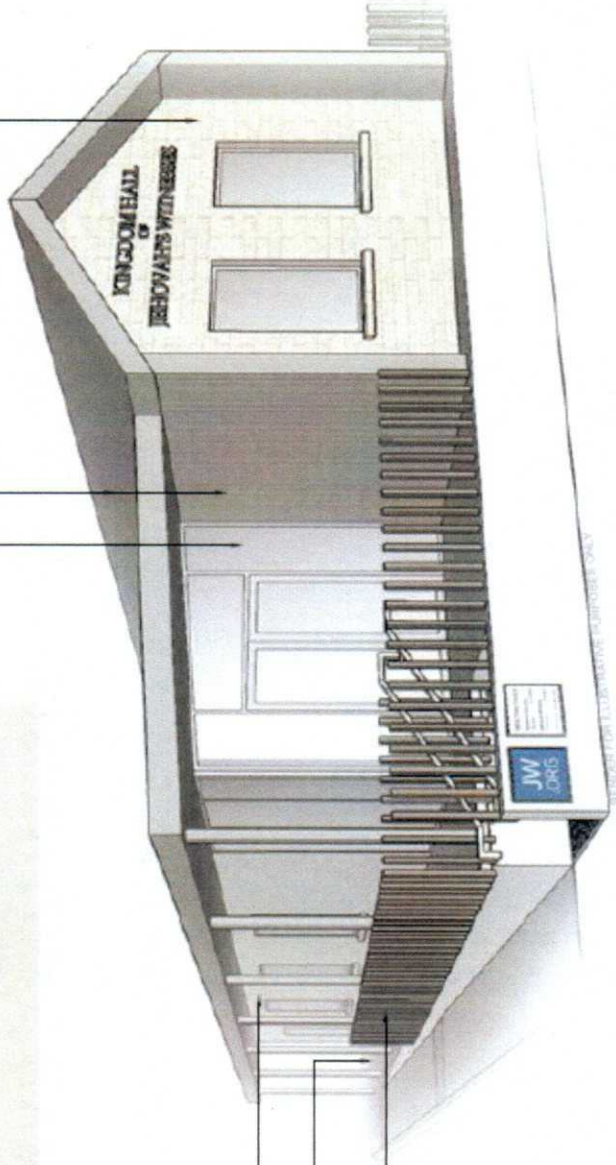
GREEN TIMBER BALUSTRADE

ALUMINIUM DOOR / WINDOW FRAMES  
 PROFILED METAL ROOFING / CLADDING  
 BLOCK VENEER - HONED, BAGGED OR RENDERED

BLOCK VENEER  
 - HONED, BAGGED OR RENDERED

PERIMETER CONCRETE PATH

TIMBER BALUSTRADE



EXTERNAL FINISHES



REV	DATE	DESCRIPTION
P2	07/2/20	ISSUED FOR DEVELOPMENT APPROVAL
P1	31/01/20	ISSUED FOR REVIEW

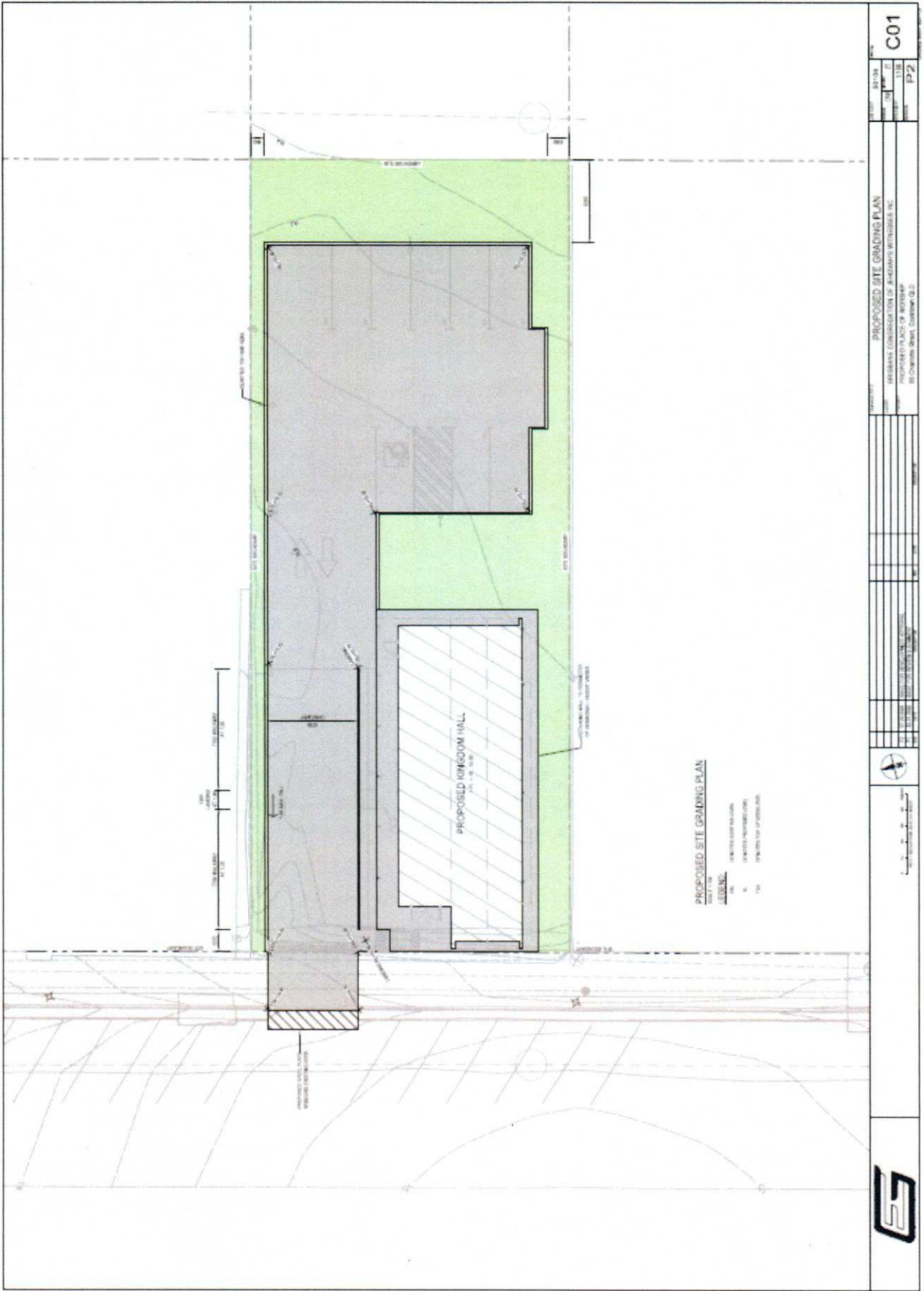
DRAWING TITLE	EXTERNAL FINISHES
CLIENT	BRISBANE CONGREGATION OF JEHOVAH'S WITNESSES INC.
PROJECT	PROPOSED PLACE OF WORSHIP
ADDRESS	85 Charlotte Street, COOKTOWN QLD 4895

JOB CODE	50104	DATE	1/2/20
DESIGN	MC	DRAWN	EMG
CHECKED	AKL @ AJ	SCALE	P2

DA05

ORIGINAL SHEET SIZE - A3





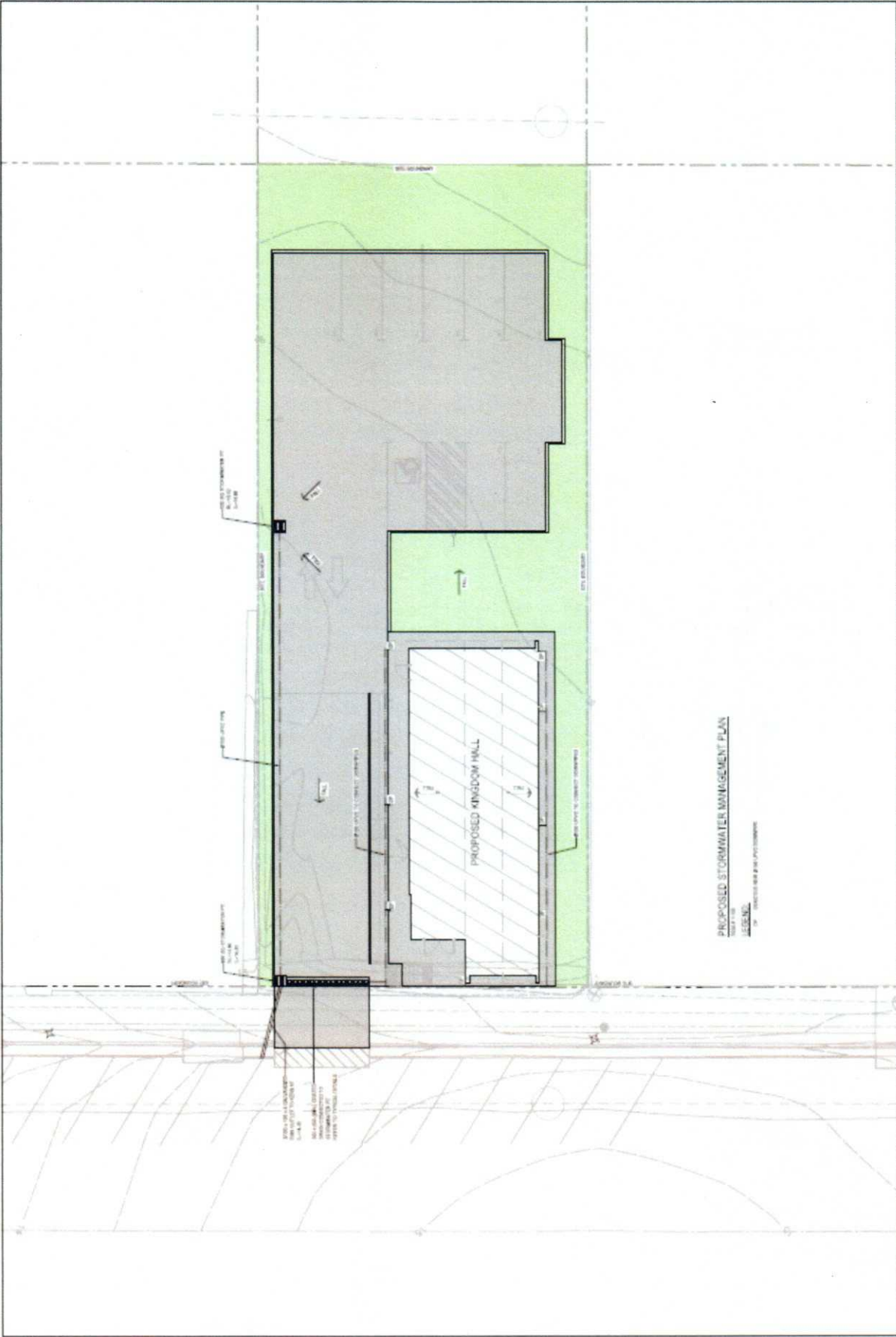
**PROPOSED SITE GRADING PLAN**

DATE: 01/15/2014  
 SHEET NO.: 1138  
 PROJECT: PROPOSED KINGDOM HALL  
 CLIENT: PROPOSED KINGDOM HALL

PROJECT: PROPOSED SITE GRADING PLAN		DATE: 01/15/2014	SCALE: 1"=10'
CLIENT: PROPOSED KINGDOM HALL		SHEET NO.: 1138	PROJECT NO.: P2
DESIGNER: [Name]		CHECKER: [Name]	DATE: 01/15/2014
DRAWN BY: [Name]		DATE: 01/15/2014	
PROJECT LOCATION: 88 Orange Street, Durham, N.C.			

**C01**



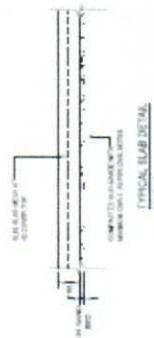
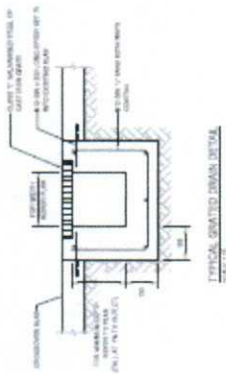
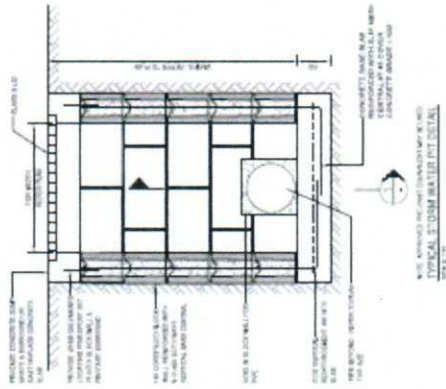
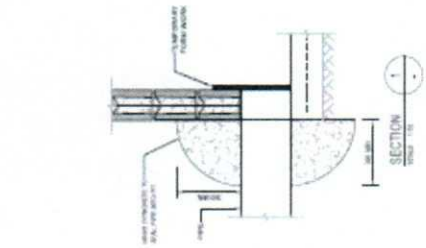


**PROPOSED STORMWATER MANAGEMENT PLAN**

DATE: 10/10/13  
SCALE: AS SHOWN  
BY: [Redacted]  
FOR: [Redacted]

	PROJECT: PROPOSED STORMWATER MANAGEMENT PLAN		NO.:	C02	
	PREPARED FOR: REBELS CONSULTING OF ARCHITECTS AND ENGINEERS INC.		DATE:	10/10/13	
DRAWN BY: [Redacted]		CHECKED BY: [Redacted]		SCALE:	P-2
DESIGNED BY: [Redacted]		DATE: [Redacted]			
PROJECT LOCATION: [Redacted]		PROJECT NO: [Redacted]			
CLIENT: [Redacted]		SITE NO: [Redacted]			
PROJECT ADDRESS: [Redacted]		SHEET NO: [Redacted]			
CITY: [Redacted]		COUNTY: [Redacted]			
STATE: [Redacted]		ZIP CODE: [Redacted]			





<b>CIVIL DETAILS</b> DISSEMINATION OF INFORMATION BY THE ENGINEER INC. PROPOSED PLACE OF ADDRESS IN CHARLES BRIDGE, CHARLOTTE, NC		SHEET NO. <b>C03</b> TOTAL SHEETS <b>118</b> DRAWING NUMBER <b>P2</b>
PROJECT NO. <b>100-1000</b> SHEET NO. <b>C03</b> DATE <b>10/10/10</b> SCALE <b>AS SHOWN</b>	DRAWN BY <b>J. W. BROWN</b> CHECKED BY <b>J. W. BROWN</b> IN CHARGE <b>J. W. BROWN</b>	PROJECT NO. <b>100-1000</b> SHEET NO. <b>C03</b> DATE <b>10/10/10</b> SCALE <b>AS SHOWN</b>

**Appendix 'B' - Infrastructure Charges Notice**

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Our Ref: LM:MF:DA/4150:D20/12069

29 April 2020

Brisbane Congregation of Jehovah's Witnesses Incorporated as bare trustee  
For the Cooktown Congregation of Jehovah's Witnesses  
C/- U&i Town Plan  
PO Box 280  
Ingleburn NSW 1890  
Attention: Ramon Samanes

Dear Mr Samanes

**ADOPTED INFRASTRUCTURE CHARGES NOTICE**  
**DEVELOPMENT APPLICATION DA/4150**

**Applicant:** Brisbane Congregation of Jehovah's Witnesses  
Incorporated as bare trustee for the Cooktown  
Congregation of Jehovah's Witnesses  
C/- U&i Town Plan  
PO Box 280  
Ingleburn NSW 1890

**Location of Site:** 86 Charlotte Street Cooktown

**Real Property Description:** Lot 106 on C1793

**Type of Development:** Material Change of Use for a Place of Worship

**Applicable Infrastructure Charges:**

<b>Development Class</b>	<b>Charge</b>	<b>Unit of Measure</b>	<b>No. of Units</b>	<b>Amount of Charge</b>
Material Change of Use for a Place of Worship	\$6.30 (Water Supply)	\$ per m <sup>2</sup> GFA	151m <sup>2</sup>	\$951.30
Material Change of Use for a Place of Worship	\$6.30 (Sewerage)	\$ per m <sup>2</sup> GFA	151m <sup>2</sup>	\$951.30
Material Change of Use for a Place of Worship	\$8.40 (Transport)	\$ per m <sup>2</sup> GFA	151m <sup>2</sup>	\$1268.40
Material Change of Use for a Place of Worship	\$3.00 (Stormwater)	\$ per impervious m <sup>2</sup>	198m <sup>2</sup>	\$594.00
<b>Total Charges</b>				<b>\$3,765.00</b>

**Credit Calculation:**

<b>Development Class</b>	<b>Charge</b>	<b>Unit of Measure</b>	<b>No of Units</b>	<b>Amount of Charge</b>
Residential RAL	\$2,100 (Water)	Allotment	1	\$2,100.00
Residential RAL	\$2,100 (Sewer)	Allotment	1	\$2,100.00
Residential RAL	\$2,520 (Transport)	Allotment	1	\$2,520.00
Residential RAL	\$840 (Public Parks & Community Land)	Allotment	1	\$840.00
Residential RAL	\$840 (Stormwater)	Allotment	1	\$840.00
<b>Total Credit</b>				<b>\$8,400.00</b>

**Net Adopted Infrastructure Charges Summary:**

<b>Total Adopted Charge</b>	<b>Total Credit</b>	<b>Total Infrastructure Charge</b>
\$3,765.00	\$8,400.00	<b>\$0.00</b>

This notice will lapse if the development approval stops having effect.

**RIGHTS OF APPEAL:**

Pursuant to the provisions of Chapter 6 of *The Planning Act 2016*, a person may appeal to the Planning & Environment Court against the decision of this Council. Please refer to <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025> to access the *Planning Act 2016*. Please refer to sections 124, 125, and 229 to 232 which detail your appeal rights regarding this notice.

Should you require any further information or assistance on this matter please contact Council's Planning Officer Michael Fallon on (07) 4082 0500.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Linda Cardew', written in a cursive style.

Linda Cardew  
Chief Executive Officer  
Cook Shire Council

RA9-N



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

SARA reference: 2003-15821 SRA  
Council reference: DA/4150  
Applicant reference: M1-20

7 April 2020

Chief Executive Officer  
Cook Shire Council  
PO Box 3  
Cooktown Qld 4895  
mail@cook.qld.gov.au

Attention: Michael Fallon

Dear Sir/Madam

## SARA response—86 Charlotte Street, Cooktown

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

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 9 March 2020.

### Response

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Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	7 April 2020
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### Development details

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Description:	Development permit	Material change of use for a Place of Worship
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 8, Division 2, Subdivision 3, Table 2 (Planning Regulation 2017) – Material Change of Use near on or near a Queensland heritage place	
SARA reference:	2003-15821 SRA	

Assessment Manager: Cook Shire Council  
Street address: 86 Charlotte Street, Cooktown  
Real property description: Lot 106 on C1793  
Applicant name: Brisbane Congregation of Jehovah's Witnesses Incorporated as bare trustee for the Cooktown Congregation of Jehovah's Witnesses C/- U&i Town Plan  
Applicant contact details: PO Box 280  
Ingleburn NSW 1890  
ramon@uitownplan.com.au

## 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 3**.

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

For further information please contact Jarrod Clarke, Planning Officer, on 40373208 or via email CairnsSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc Brisbane Congregation of Jehovah's Witnesses Incorporated as bare trustee for the Cooktown Congregation of Jehovah's Witnesses c/- U&i Town Plan, ramon@uitownplan.com.au

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations provisions

## Attachment 1 — Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.6]. If a word remains undefined it has its ordinary meaning.
Works within the road reserve	
2.	The access works in the road reserve will require a development permit under the <i>Planning Act 2016</i> for development on a State heritage place unless an exemption certificate is issued. The works may be eligible for an exemption certificate issued under the <i>Queensland Heritage Act 1992</i> , if the works have no, or a minimal detrimental impact on the kerbing (section 46(3)(b) of the <i>Planning Act 2016</i> ). It is recommended that you the contact Department of Environment and Science directly at <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> to discuss an exemption certificate.

## **Attachment 2 — Reasons for referral agency response**

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

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The reasons for the department's decision are:

- The proposed development is a material change of use to establish a place of worship at 86 Charlotte Street, Cooktown.
- The subject site adjoins a State heritage place, the Early Granite Kerbing and Channelling, Cooktown.
- The proposed development:
  - o will not negatively impact the state's ability to conserve cultural significance on the subject site.
  - o has minimised or mitigated unavoidable impacts on cultural heritage significance.
  - o maintains the setting and streetscape adjoining the state heritage place.

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 [2.6]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system



**Attachment 3—Change representation provisions**

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

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

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

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

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

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

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

## **Part 7: Miscellaneous**

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

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

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

## Chapter 6      **Dispute resolution**

### Part 1            **Appeal rights**

#### **229 Appeals to tribunal or P&E Court**

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

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- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
    - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
    - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

## 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

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- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.



whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

### **232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

## Schedule 1 Appeals

section 229

### 1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
  - (a) the P&E court; or
  - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
  - (a) the refusal, or deemed refusal of a development application, for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (b) a provision of a development approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (c) if a development permit was applied for—the decision to give a preliminary approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (d) a development condition if—
    - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

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- (ii) the building is, or is proposed to be, not more than 3 storeys; and
  - (iii) the proposed development is for not more than 60 sole-occupancy units; or
  - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
  - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
  - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
  - (h) a decision to give an enforcement notice—
    - (i) in relation to a matter under paragraphs (a) to (g); or
    - (ii) under the *Plumbing and Drainage Act 2018*; or
  - (i) an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
    - (i) a development approval for which the development application required impact assessment; and
    - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
  - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
  - (a) column 1 states the appellant in the appeal; and
  - (b) column 2 states the respondent in the appeal; and
  - (c) column 3 states the co-respondent (if any) in the appeal; and
  - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—  
*storey* see the Building Code, part A1.1.

<b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ol style="list-style-type: none"><li>(a) the refusal of all or part of the development application; or</li><li>(b) the deemed refusal of the development application; or</li><li>(c) a provision of the development approval; or</li><li>(d) if a development permit was applied for—the decision to give a preliminary approval.</li></ol>

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<ol style="list-style-type: none"> <li>1 A concurrence agency that is not a co-respondent</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 Any eligible advice agency for the application</li> <li>4 Any eligible submitter for the application</li> </ol>
<p><b>2. Change applications</b></p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

<p align="center"><b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b></p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p><b>4. Infrastructure charges notices</b></p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> <li>• the incorrect application of gross floor area for a non-residential development</li> <li>• applying an incorrect ‘use category’, under a regulation, to the development</li> </ul> <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&amp;E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

<b>Table 1 Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p>5. Conversion applications</p> <p>An appeal may be made against—</p> <p>(a) the refusal of a conversion application; or</p> <p>(b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p>6. Enforcement notices</p> <p>An appeal may be made against the decision to give an enforcement notice.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government



<p align="center"><b>Table 2</b> <b>Appeals to the P&amp;E Court only</b></p>			
<p><b>1. Appeals from tribunal</b></p> <p>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—</p> <p>(a) an error or mistake in law on the part of the tribunal; or</p> <p>(b) jurisdictional error.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
<p><b>2. Eligible submitter appeals</b></p> <p>For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency's referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>

**Table 2  
Appeals to the P&E Court only**

3. Eligible submitter and eligible advice agency appeals			
<p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency's referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			

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.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 A person given a decision notice about the decision  2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
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.			

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

<b>Table 3 Appeals to a tribunal only</b>			
<p>1. Building advisory agency appeals</p> <p>An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<p>1 A concurrence agency for the development application related to the approval</p> <p>2 A private certifier for the development application related to the approval</p>

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

<b>Table 3 Appeals to a tribunal only</b>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—
<p>5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a failure by the Queensland Building and Construction Commission to make a decision, within the period required under that Act, if an information notice about the decision was required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—