

Our Ref: LM:MF:DA/4180:D20/26112

23 September 2020

Olkola Aboriginal Corporation  
C/- Dr Hannah Robertson  
PO Box 523  
West Court QLD 4870

Dear Ms Robertson

**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 4 June 2020.

**Applicant details**

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Applicant name: Olkola Aboriginal Corporation  
C/- Dr Hannah Robertson

Applicant contact details: Dr Hannah Robertson  
PO Box 523  
West Court QLD 4870  
Email: Hannah.robertson@unimelb.edu.au

**Application details**

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Application number: DA/4180

Approval sought: Development Permit for a Material Change of Use

Description of the development proposed: Outstation and Nature Based Tourism

**Location details**

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Street address: Dixie Road, Dixie

Real property description: Lot 6 on SP262570

## Decision

Date of decision: 22 September 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 an Outstation and Nature Based Tourism

## 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 Plumbing/Drainage Works.

## Properly made submissions

There were no properly made submissions for this application.

## Referral Agencies

The referral agencies for the application are:

Referral Agency	Referral Matter	Referral Role
State Assessment Referral Agency (SARA) – Queensland Treasury  Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: (07) 07 4037 3209 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 3, Division 4, Table 3 – Native Vegetation Clearing	Concurrence

## Approved plans and specifications

Copies of the approved are enclosed in 'Appendix A'.

## 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* (refer to Condition 19).

## Lapsing of approval if development started but not completed

Any period required under a development condition.

## 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*).

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 – Queensland Treasury (formerly Department of State Development, Manufacturing, Infrastructure and Planning)  
Far North Queensland Regional Office  
Cairns QLD 4870  
Email: [CairnsSARA@dsdmip.qld.gov.au](mailto:CairnsSARA@dsdmip.qld.gov.au)

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

**Attachment 1 (Part 2)** – Conditions imposed by the State Assessment & Referral Agency (SARA)

**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 Plan**

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix A) submitted with the application, except for any variations required to comply with the conditions of this approval:
  - Location Plan – Olkola Aboriginal Corporation Sandy Creek Bore Development – Drawing No. DA 002 – Revision B – Dated 03/10/2019;
  - Site Plan - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 003 – Revision B – Dated 03/10/2019;
  - Ranger Station Floor Plan - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 100 – Revision B – Dated 03/10/2019;
  - Cultural Knowledge Centre Floor Plan – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 101 – Revision B – Dated 03/10/2019;
  - Ranger Station Sections – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 200 – Revision B – Dated 03/10/2019;
  - Cultural Centre Sections – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 201 – Revision B – Dated 03/10/2019;
  - Ranger Station Elevations – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 300 – Revision B – Dated 03/10/2019;
  - Cultural Centre Elevations - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 301 – Revision B – Dated 03/10/2019.

**Access**

2. Access to the proposed facility must be via the existing Dixie Road. Access between the subleased property boundary and the Dixie Road must be gravel sealed and contain ancillary stormwater drainage, and be constructed to the requirements of the FNQROC Development Manual.
3. Plans showing the location of access to the proposed facility must be submitted to Council's Manager Engineering for approval prior to construction and be supported by a Traffic Management Plan undertaken by a suitably qualified person for works within the road reserve.

**Internal Driveway**

4. The internal driveway to the proposed facility must be dust suppressed and be maintained for the life of the development.

**Water Supply**

5. The development must be provided with a potable water supply. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 50,000 litres. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement for on-site water storage.

### **Waste Disposal**

6. Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – 'On-site domestic wastewater management'. Details are to be provided to Council at the time of building application.

### **Building Works**

7. All new structures must obtain the necessary permits for building works and plumbing and drainage approvals prior to any construction commencing on the site.

### **Environmental**

8. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
9. No State Declared or Environmental pest plants and pest animals are to be introduced onto the property.

### **Electricity**

10. The proposed development must be connected to a reliable electricity supply at the time of building application. Details of such supply must be provided to Council at the time of building application.

### **Fire Management**

11. The development must be maintained at all times to a standard so as not to create a fire hazard.
12. Firebreaks must be provided around the Ranger Base Station and the Cultural Knowledge Centre creating separation from hazardous vegetation (of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater), and must be maintained by the owners at all times.
13. Flammable material must not be allowed to build up around the buildings so as to create a potential fire hazard.
14. A water tank must be provided within 10 metres of each building which:
  - Is either below ground or of non-flammable construction;
  - Provides the capacity of at least 20KL;
  - Has a minimum pressure and flow of 10L per second at 200kPa.

### **Stormwater**

15. Stormwater must be directed to a legal point of discharge.

### **Timing of Effect**

16. The conditions of this development permit must be complied with to the satisfaction of Council's Planning Officers prior to the commencement of the use.
17. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

### **Public Utilities**

18. The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by the conditions of this approval.

### **Currency Period**

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

### **Outstanding Charges**

20. All rates, service charges, interest and other charges levied on the land must be paid prior to the use commencing.

### **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 acceptance 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.
4. This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to a further extension of time under section 275R of the *Planning Act 2016*.

### **C. Referral Agency (Department of State Development, Manufacturing, Infrastructure and Planning – now QLD Treasury) Response:**

See the attached response from the Queensland Treasury dated 23 July 2020.



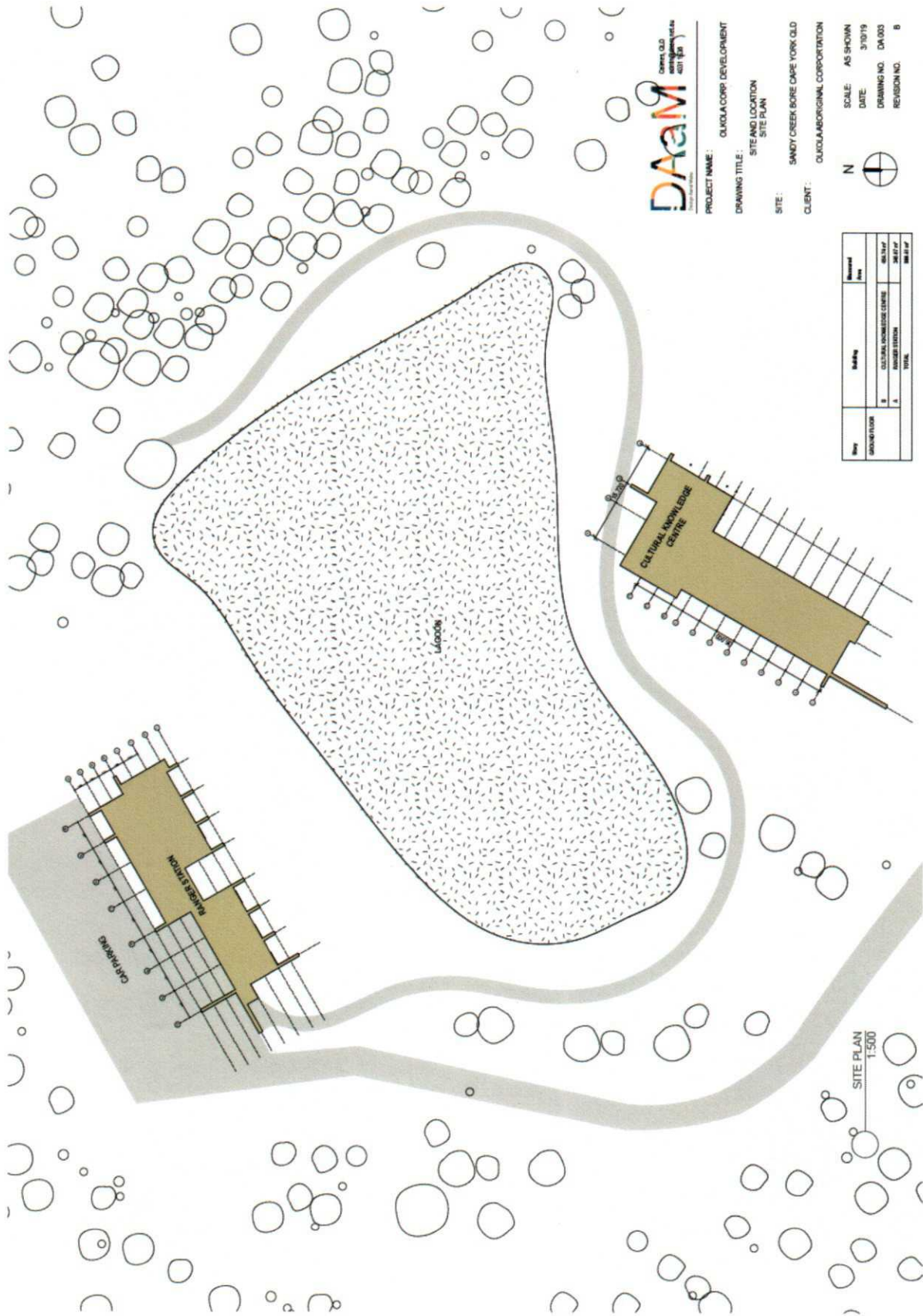
**OLKOLA ABORIGINAL CORPORATION  
SANDY CREEK BORE DEVELOPMENT**

DRAWING No.	DESCRIPTION	REV
DA 002	LOCATION PLAN	B
DA 003	SITE PLAN	B
DA 100	RANGER STATION FLOOR PLAN	B
DA 101	CULTURAL KNOWLEDGE CENTRE FLOOR PLAN	B
DA 200	RANGER STATION SECTIONS	B
DA 301	CULTURAL CENTRE SECTIONS	B
DA 300	RANGER STATION ELEVATIONS	B
DA 301	CULTURAL CENTRE ELEVATIONS	B

DATE	ISSUE NAME	ISSUE DATE	Rev/D
25/09/2019	Concept Development	25/09/2019	A
03/10/2019	Development Application	03/10/2019	B







PROJECT NAME: OUKIA CORP. DEVELOPMENT

DRAWING TITLE: SITE AND LOCATION SITE PLAN

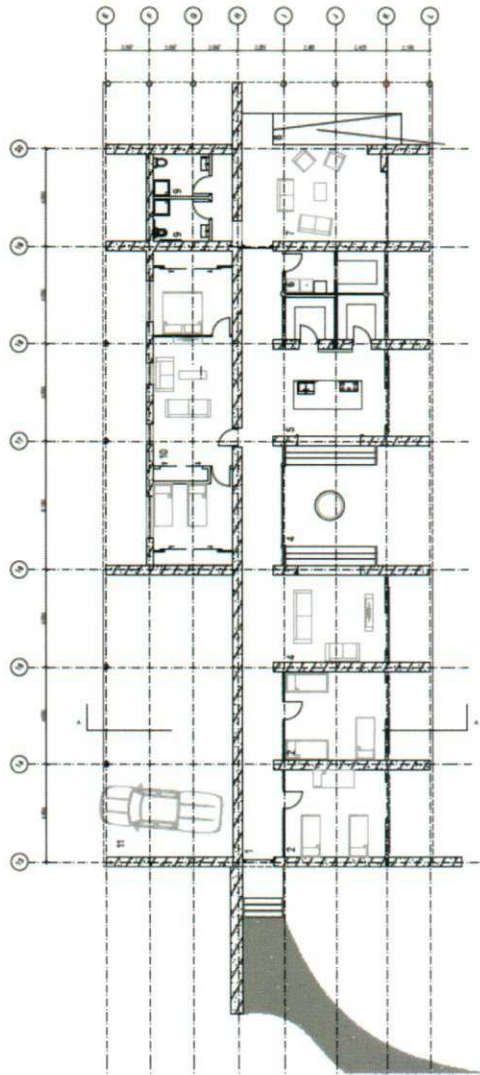
SITE: SANDY CREEK BORE CARP YORK OLD

CLIENT: OUKIA ABORIGINAL CORPORATION

SCALE: AS SHOWN  
 DATE: 3/10/19  
 DRAWING NO. DA.003  
 REVISION NO. B

Item	Quantity	Material	Area	Volume
CONCRETE FLOOR	1		465.54 m <sup>2</sup>	
CULTURAL KNOWLEDGE CENTRE	1		246.47 m <sup>2</sup>	
INDIAN LODGE	1		246.47 m <sup>2</sup>	
TOTAL			958.48 m <sup>2</sup>	

SITE PLAN  
 1:500



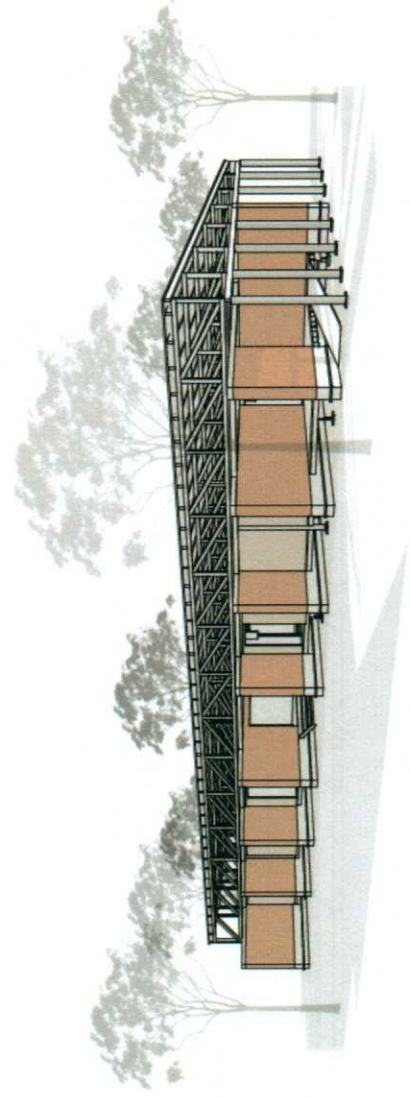
0 RANGER STATION FLOOR PLAN  
1/200

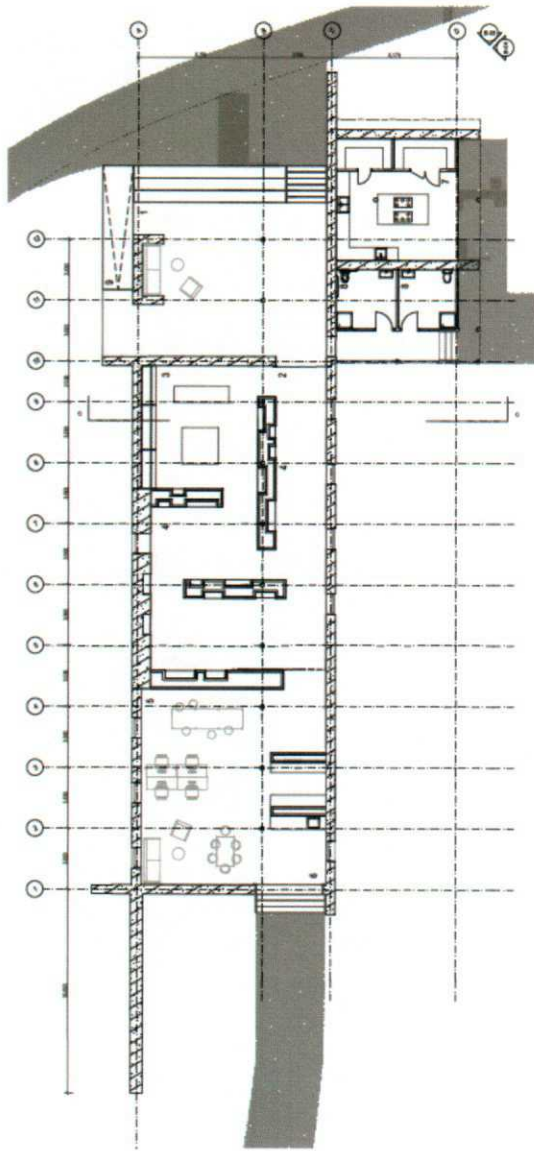
- 1 ENTRY
- 2 RANGER'S BEDRM
- 3 RANGER'S LIVING RM
- 4 OFFICE
- 5 KITCHEN
- 6 LAUNDRY
- 7 OFFICE DESK
- 8 ACCESSIBLE ENTRY
- 9 BATHROOM
- 10 CARE UNDER LIVING
- 11 COVERED CAR PARKING



PROJECT NAME: OLUKOJA CORP DEVELOPMENT  
 DRAWING TITLE: DA PLANS  
 RANGER STATION FLOOR PLAN  
 SITE: SANDY CREEK BORE CAPE YORK QLD  
 CLIENT: OLUKOJA ORIGINAL CORPORATION

SCALE: AS SHOWN  
 DATE: 3/10/19  
 DRAWING NO.: DA 100  
 REVISION NO.: B





- 1 VIEWING PLATFORM
- 2 CULTURAL KNOWLEDGE CENTRE
- 3 GIFT STORE
- 4 GALLERY
- 5 RESEARCH CENTRE
- 6 CAMPFIRE KITCHEN
- 7 BATHROOM
- 8 ACCESSIBLE ACCESS

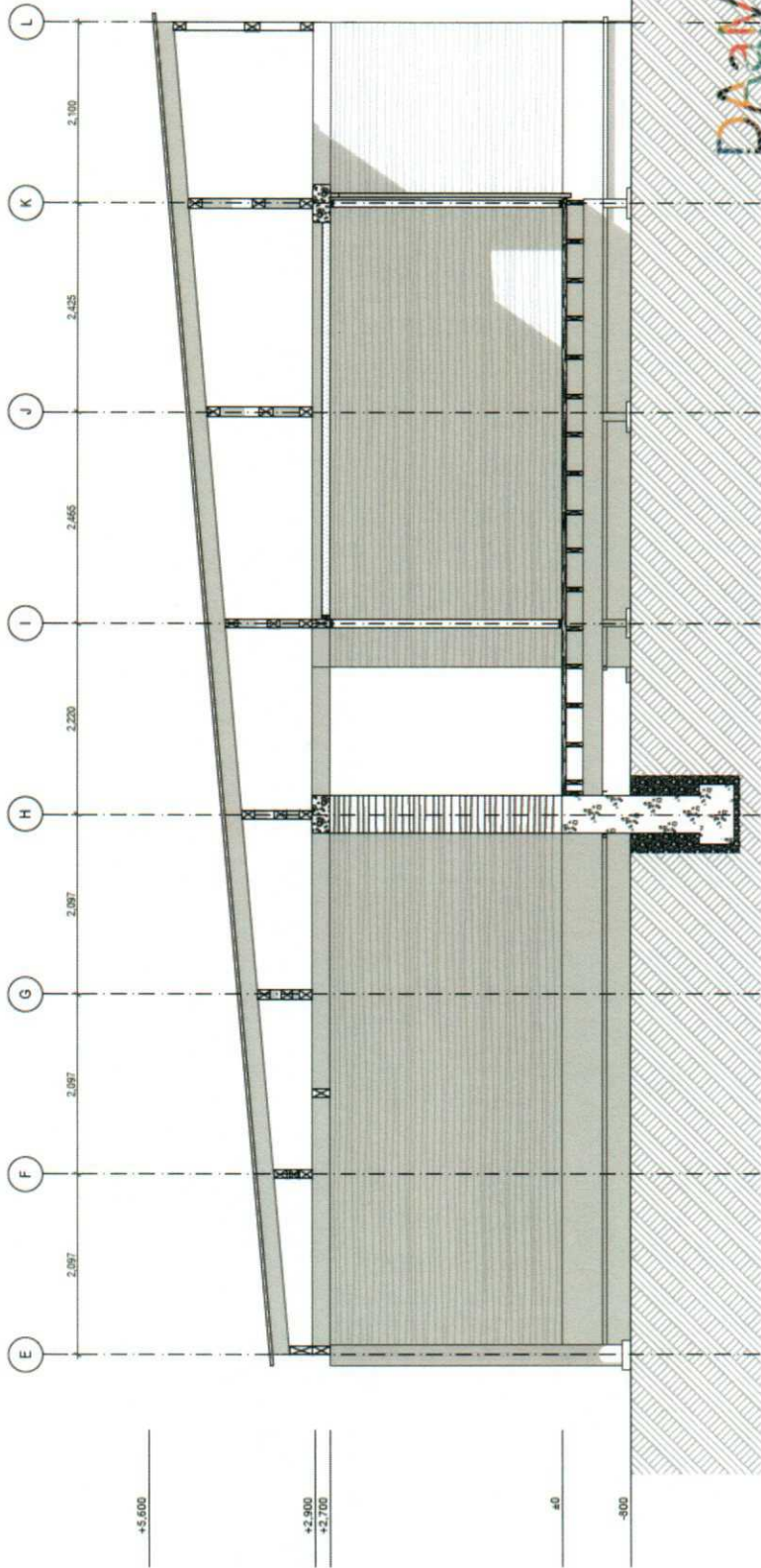
0 CULTURAL KNOWLEDGE CENTRE FLOOR PLAN  
1:200



PROJECT NAME: OLUKOLA CORP DEVELOPMENT  
DRAWING TITLE: DA PLANS  
CULTURAL KNOWLEDGE CENTRE FLOOR PLAN  
SITE: SANDY CREEK BORE CAPE YORK OLD  
CLIENT: OLUKOLABORIGINAL CORPORATION

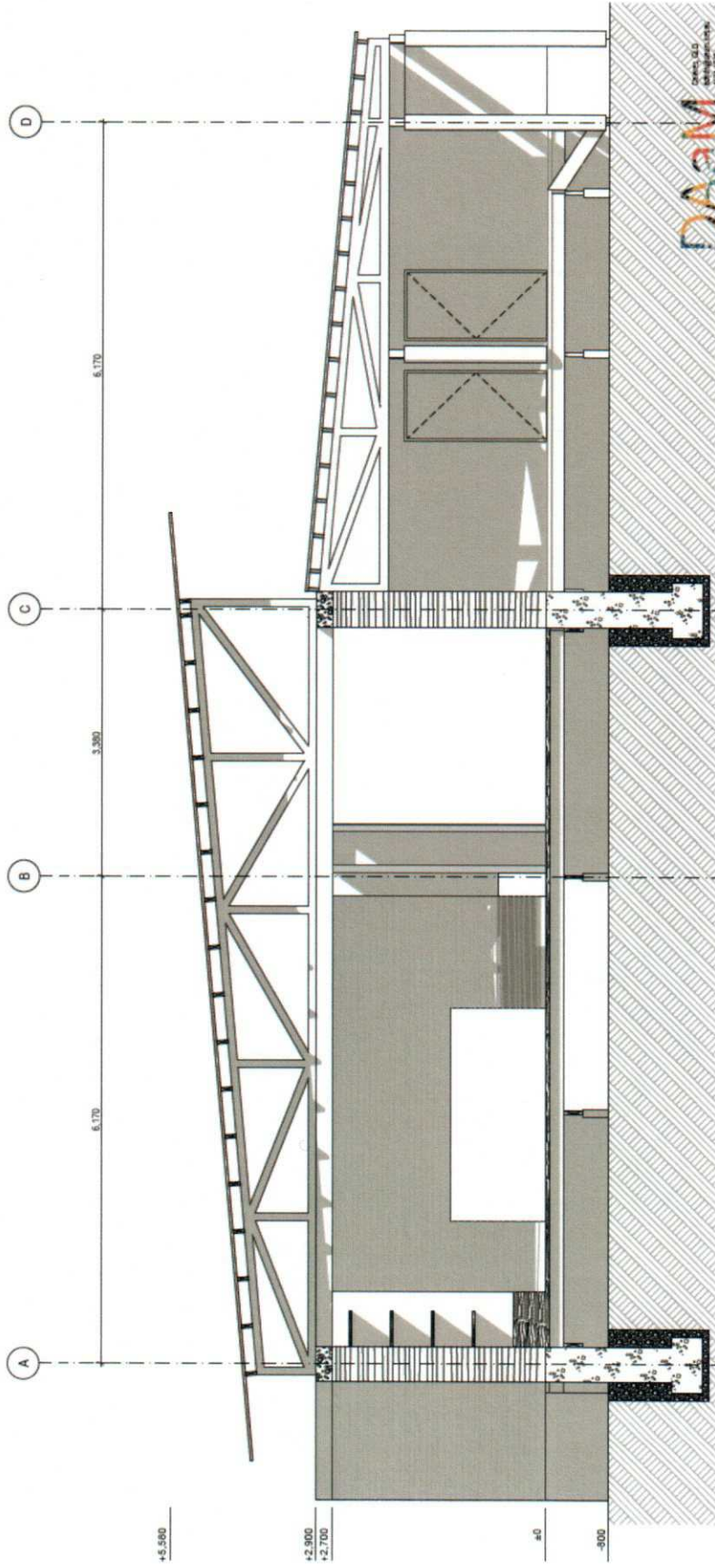
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DRAWING NO.: DA 101  
REVISION NO.: 0





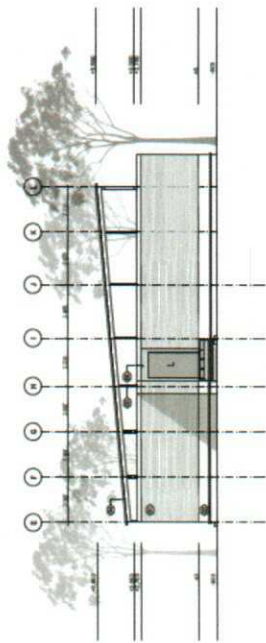
SECTION A-A, RANGER STATION  
1:50

PROJECT NAME : OUKLA CORP DEVELOPMENT  
 DRAWING TITLE : DA SECTIONS  
 RANGER STATION SECTIONS  
 SITE : SANDY CREEK BORE CAPE YORK QLD  
 CLIENT : OUKLA ORIGINAL CORPORATION  
 SCALE : AS SHOWN  
 DATE : 3/10/19  
 DRAWING NO. : DA 200  
 REVISION NO. : B

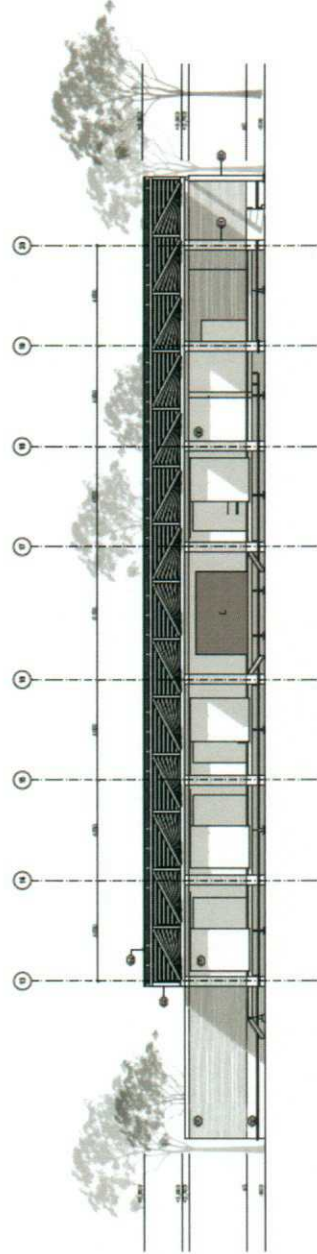


C SECTION C-C CULTURAL KNOWLEDGE CENTRE 1:50

PROJECT NAME : OUKLA CORP DEVELOPMENT  
 DRAWING TITLE : DA SECTIONS  
 CULTURAL CENTRE SECTIONS  
 SITE : SANDY CREEK SORE CAPE YORK QLD  
 CLIENT : OUKLA ABORIGINAL CORPORATION  
 SCALE : AS SHOWN  
 DATE : 31/07/19  
 DRAWING NO. : DA 201  
 REVISION NO. : B



E-01 NORTH-WEST ELEVATION  
1:200



E-02 SOUTH-EAST ELEVATION  
1:200

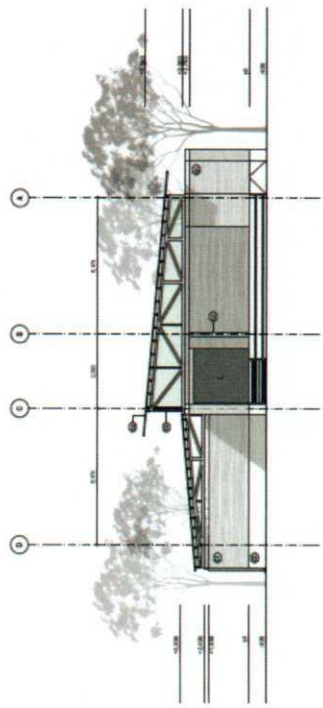
EXTERIORS MATERIALS PALETTE

- 01 FRAMED EARTH
- 02 CONCRETE
- 03 IRONWOOD
- 04 CUSTOM ORB
- 05 PLYWOOD

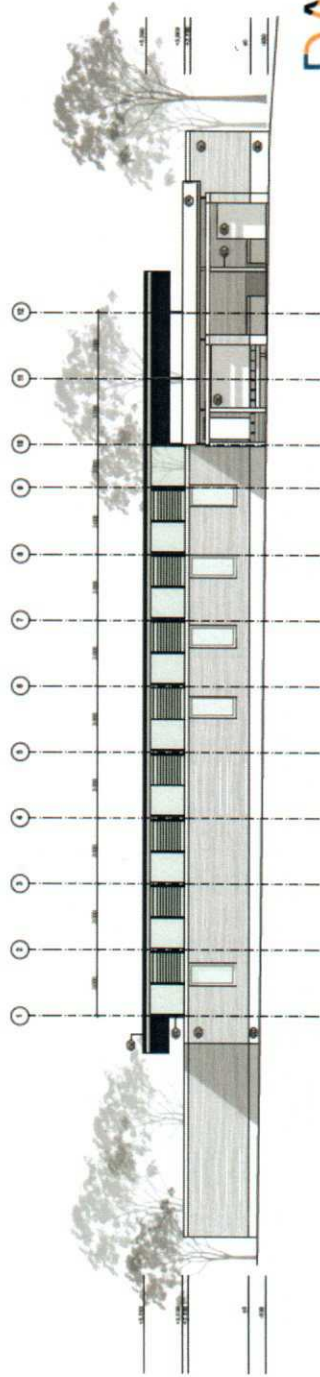


**DAaM**  
Design Architecture  
Cairns, QLD  
0749913900  
4211 1238

PROJECT NAME: OUKOLA CORP DEVELOPMENT  
DRAWING TITLE: DA ELEVATIONS  
RANGER STATION ELEVATIONS  
SITE: SANDY CREEK BONE CAPE YORK QLD  
CLIENT: OUKOLA ORIGINAL CORPORATION  
SCALE: AS SHOWN  
DATE: 3/10/19  
DRAWING NO.: DA 300  
REVISION NO.: 8



E-03 NORTH-EAST ELEVATION  
1:200



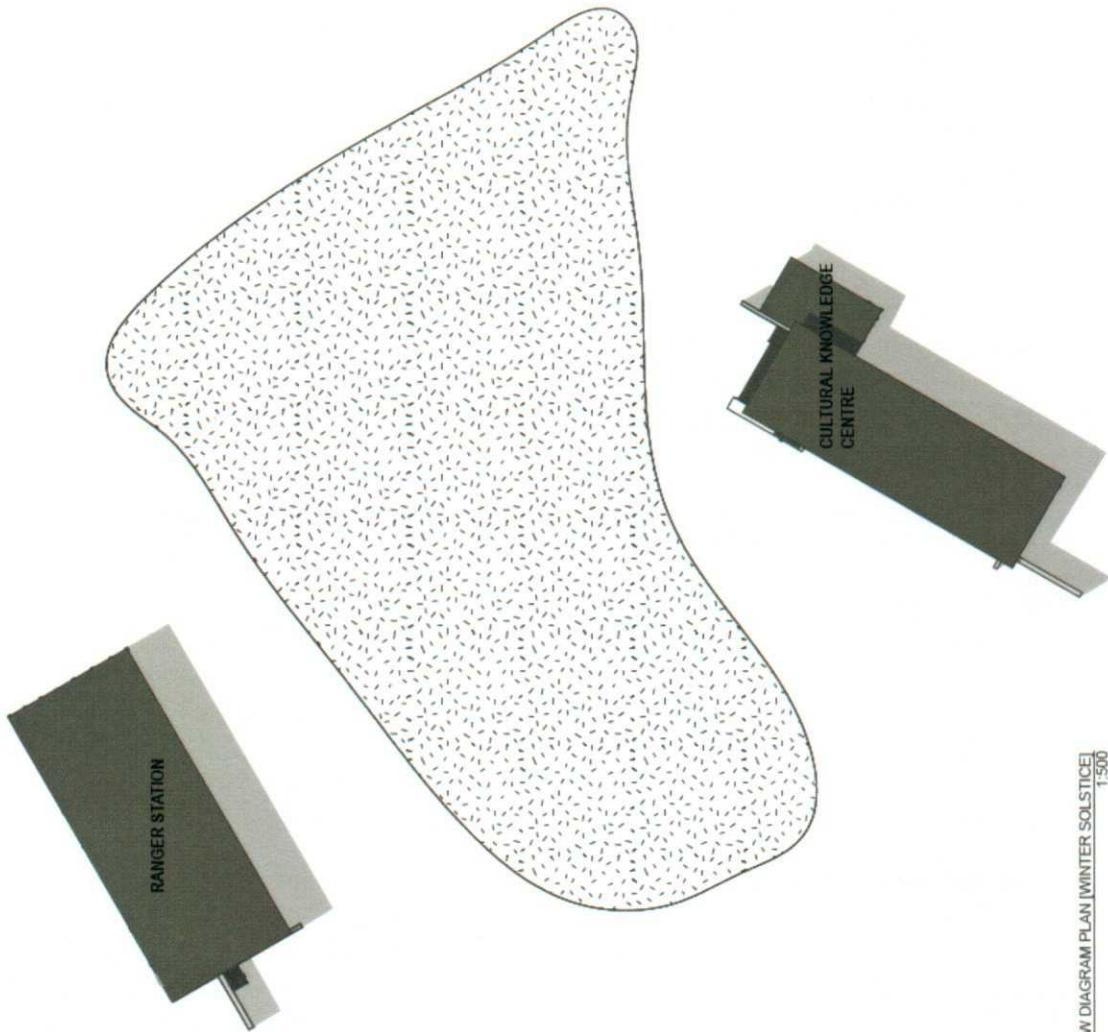
E-04 EAST-SOUTH ELEVATION  
1:200



PROJECT NAME: OUKOLA CORP. DEVELOPMENT  
 DRAWING TITLE: DA ELEVATIONS  
 CULTURAL CENTRE ELEVATIONS  
 SITE: SANDY CREEK BORE CAPE YORK QLD  
 CLIENT: OUKOLA ORIGINAL CORPORATION  
 SCALE: AS SHOWN  
 DATE: 3/10/19  
 DRAWING NO.: DA.301  
 REVISION NO.

EXTERIORS MATERIALS PALETTE

01 FRAMED EARTH	02 CONCRETE	03 IRONWOOD	04 CUSTOM ORB	05 PLYWOOD



○ SHADOW DIAGRAM PLAN [WINTER SOLSTICE] 1:500



PROJECT NAME: OUKOLA CORP. DEVELOPMENT  
 DRAWING TITLE: SHADOW PLANS 22 JUNE @ 14:00H  
 SITE: SANDY CREEK BORE CAPE YORK QLD  
 CLIENT: OUKOLABORIGINAL CORPORATION  
 SCALE: AS SHOWN  
 DATE: 3/10/19  
 DRAWING NO.: DA-100  
 REVISION NO.: B





## Attachment 1 (Part 2) – Conditions imposed by the State Assessment & Referral Agency (SARA)

RA6-N



Queensland Treasury

SARA reference: 2006-17317 SRA  
Council reference: DA/4180  
Applicant reference: Sandy Creek

23 July 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—Dixie Road, Dixie

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 26 June 2020.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	23 July 2020
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

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Description:	Development permit	Material Change of Use (Outstation and Nature Based Tourism)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017)	
	Development application for a material change of use involving native	

vegetation clearing  
SARA reference: 2006-17317 SRA  
Assessment Manager: Cook Shire Council  
Street address: Dixie Road, Dixie  
Real property description: Lot 6 on SP262570  
Applicant name: Olkola Aboriginal Corporation  
c/- Dr Hannah Robertson  
Applicant contact details: PO Box 523  
Westcourt QLD 4870  
hannah.robertson@unimelb.edu.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 4**.

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

For further information please contact Joanne Manson, Principal Planning Officer, SARA Far North QLD on 40373228 or via email CairnsSARA@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc Olkola Aboriginal Corporation C/- Dr Hannah Robertson , hannah.robertson@unimelb.edu.au  
enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

### Attachment 1—Referral agency conditions

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

No.	Conditions	Condition timing
<b>Material change of use</b>		
Schedule 10, Part 3, Division 4, Table 3, Item 1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	The clearing of vegetation under this development approval is limited to the areas identified as Area A (Parts A <sup>1</sup> – A <sup>7</sup> ) and Area B (Parts B <sup>1</sup> – B <sup>3</sup> ) as shown on attached Technical Agency Response Plan (TARP) 2006-17317 SRA dated 21 July 2020.	At all times
2.	No built structure, other than for fences, tracks/roads and underground services, is to be established, constructed or located within area identified as Area B (B <sup>1</sup> – B <sup>3</sup> ) as shown on attached Technical Agency Response Plan (TARP) 2006-17317 SRA dated 21 July 2020.	At all times
3.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of clearing authorised by this development approval.	Prior to clearing

## Attachment 2—Advice to the applicant

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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.
2.	To request an electronic file of the Derived Points (Attached to Plan: 2006-17317 SRA) as contained in this technical agency response, email a request to the Department of Natural Resources, Mines and Energy at <a href="mailto:northvegetation@dnrme.qld.gov.au">northvegetation@dnrme.qld.gov.au</a> and include application reference (2006-17317 SRA).
Further permits	
3.	Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'vegetation clearing requirements').

### **Attachment 3—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 majority of the proposed development is located within existing cleared areas.
- The proposed development will result in the potential clearing of 3.75ha hectares of Category B regulated vegetation of least concern regional ecosystem.
- The proposed development does not impact essential habitat.
- The proposed development does not result in a significant residual impact on matters of state environmental significance.
- The department carried out an assessment against SDAP, State code 16: Native vegetation clearing and found that, with conditions the proposed development:
  - o avoids clearing, or where avoidance is not reasonably possible, minimises clearing to conserve vegetation, avoids land degradation, avoids the loss of biodiversity and maintains ecological processes.
  - o avoids impacts on vegetation that is a matter of state environmental significance.

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 SARA.
- The Development Assessment Rules
- SARA DA Mapping system

## **Attachment 4—Change representation provisions**

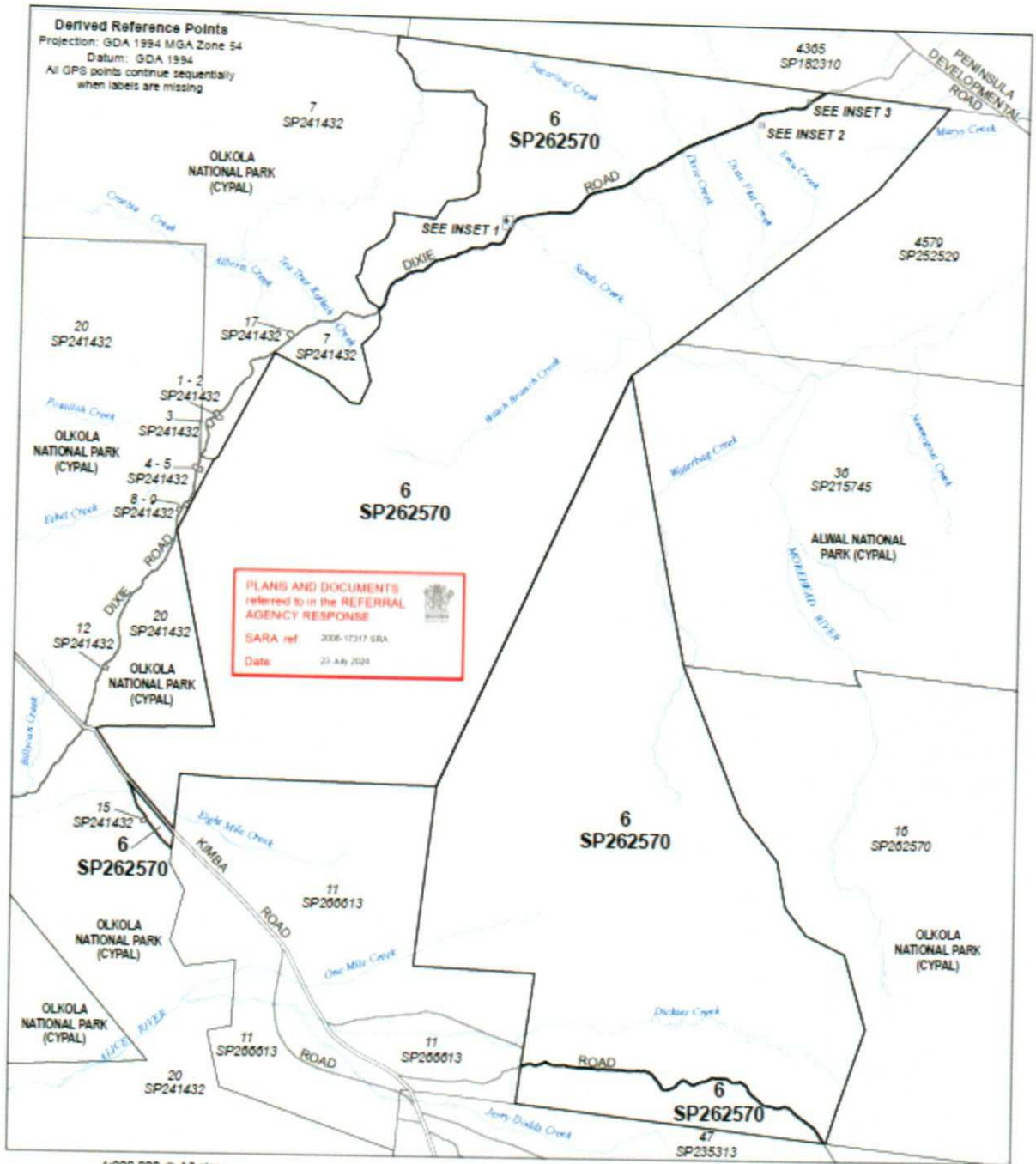
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## **Attachment 5—Approved plans and specifications**

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1:200 000 @ A3 size  
 0 5 000 10 000 15 000 m  
 Projection: GDA 1994 MGA Zone 54 Datum: GDA 1994

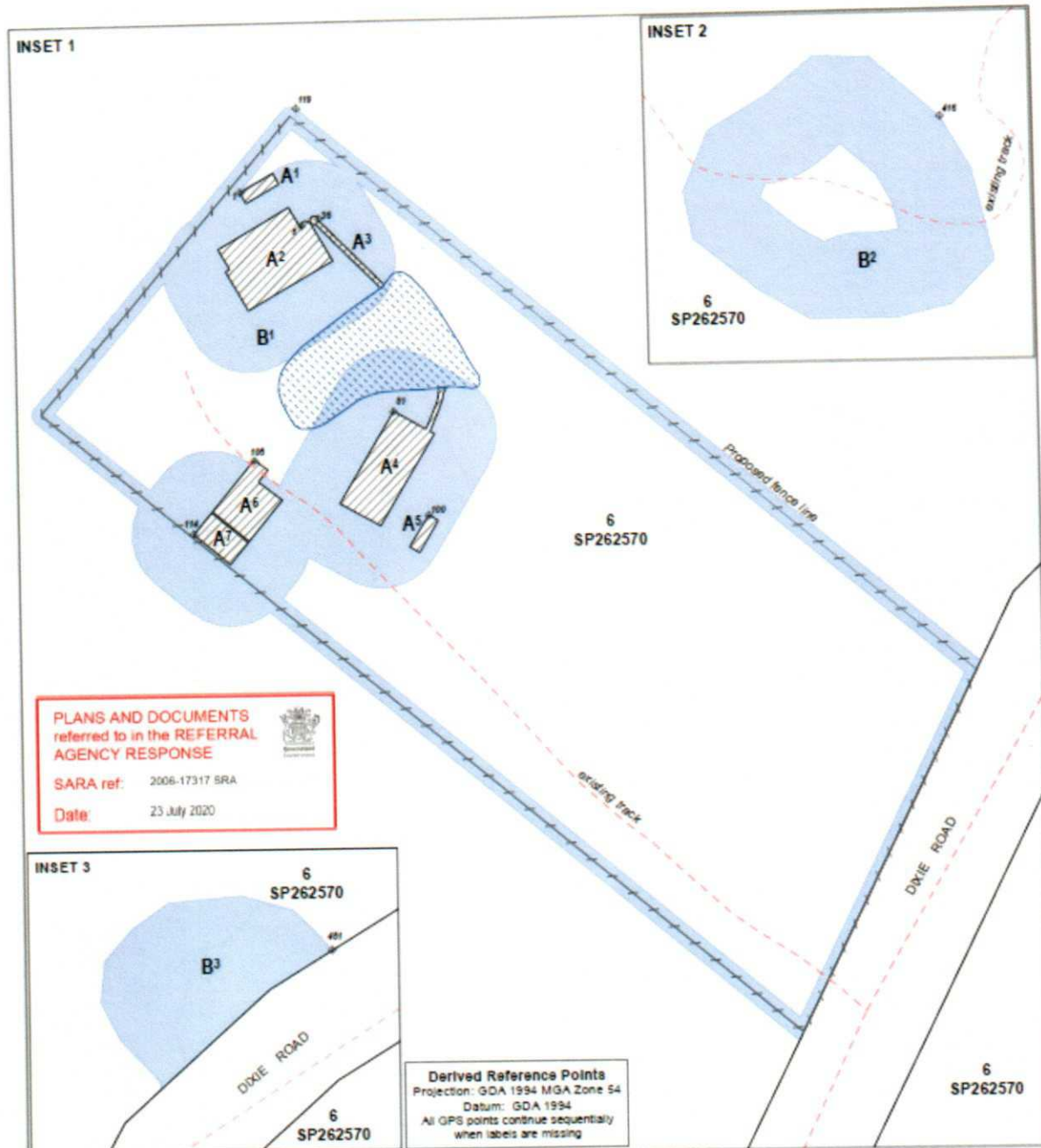
Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

This plan must be read in conjunction with Decision Notice 2006 -17317 SRA

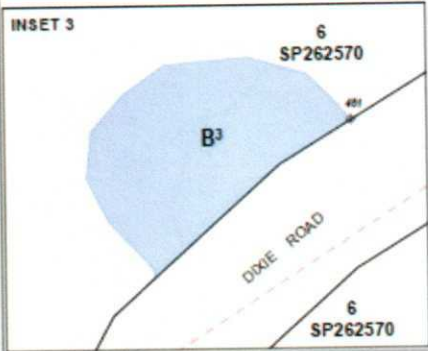
<b>LEGEND</b> 	<b>Technical Agency Response Plan</b> <b>Plan of Area A (Parts A<sup>1</sup> - A<sup>7</sup>), Area B (Parts B<sup>1</sup> - B<sup>3</sup>)</b> <b>in Lot 6 on Plan SP262570</b>		 Version: 1	 Queensland Government
	LOCAL GOVT: COOK SHIRE LOCALITY OF DIXIE		eLVAS Case ID: 2020/011986	
File Reference: TSV2025 - VEG Prepared by: E Russell Department: CNRME Region: NORTH Date: 21 July 2020		<b>TARP</b> <b>2006 -17317 SRA</b> <b>Sheet 1 of 2</b>		



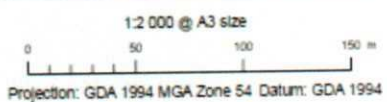


**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**

SARA ref: 2006-17317 SRA  
 Date: 23 July 2020



**Derived Reference Points**  
 Projection: GDA 1994 MGA Zone 54  
 Datum: GDA 1994  
 All GPS points continue sequentially when labels are missing



Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

This plan must be read in conjunction with Decision Notice 2006 -17317 SRA

**LEGEND**

- ◆ Derived Reference Points (start points)
- Subject Lot(s)
- ▨ Area A (Parts A<sup>1</sup> - A<sup>7</sup>)
- Area B (Parts B<sup>1</sup> - B<sup>3</sup>)
- Proposed fence line
- Water

Note: This is a colour plan and should only be reproduced in colour

**Technical Agency Response Plan**  
**Plan of Area A (Parts A<sup>1</sup> - A<sup>7</sup>), Area B (Parts B<sup>1</sup> - B<sup>3</sup>) in Lot 6 on Plan SP262570**

eLVAS Case ID: 2020/011986

LOCAL GOVT: COOK SHIRE  
 LOCALITY OF DIXIE

File Reference: TSV20025      Compiled from: DCOB, RVM & NRMO Notes on File

Prepared by: E Russell      Department: ONRME      Region: NORTH      Date: 21 July 2020

N

Queensland Government

Version: 1

**TARP**  
**2006 -17317 SRA**  
 Sheet 2 of 2

## Attachment to Plan: 2006-17317 SRA

## Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 54

PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSESARA ref: 2006-17317 SRA  
Date: 23 Aug 2020

Note: Derived Reference Points are provided to assist in the location of the area boundaries. Responsibility for locating area boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response 2006-17317 SRA. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A1	1	756449	8333471	A3	61	756486	8333456	B1	121	756509	8333491
A1	2	756467	8333481	A3	62	756486	8333456	B1	122	756513	8333487
A1	3	756470	8333476	A3	63	756486	8333457	B1	123	756624	8333395
A1	4	756452	8333466	A3	64	756486	8333457	B1	124	756837	8333217
A1	5	756449	8333471	A3	65	756486	8333457	B1	125	756738	8333016
A2	6	756481	8333453	A3	66	756486	8333457	B1	126	756488	8333242
A2	7	756481	8333453	A3	67	756486	8333458	B1	127	756461	8333248
A2	8	756481	8333454	A3	68	756487	8333458	B1	128	756456	8333245
A2	9	756481	8333454	A3	69	756487	8333458	B1	129	756450	8333242
A2	10	756481	8333455	A3	70	756487	8333458	B1	130	756442	8333241
A2	11	756482	8333455	A3	71	756487	8333458	B1	131	756433	8333242
A2	12	756482	8333455	A3	72	756488	8333458	B1	132	756426	8333244
A2	13	756482	8333455	A3	73	756488	8333458	B1	133	756419	8333249
A2	14	756483	8333456	A3	74	756488	8333458	B1	134	756412	8333254
A2	15	756483	8333456	A3	75	756489	8333458	B1	135	756405	8333260
A2	16	756483	8333456	A3	76	756489	8333458	B1	136	756400	8333265
A2	17	756484	8333456	A3	77	756490	8333458	B1	137	756394	8333271
A2	18	756484	8333456	A3	78	756490	8333457	B1	138	756390	8333278
A2	19	756484	8333456	A3	79	756490	8333457	B1	139	756388	8333287
A2	20	756484	8333456	A3	80	756490	8333456	B1	140	756389	8333297
A2	21	756484	8333455	A4	81	756528	8333354	B1	141	756392	8333306
A2	22	756485	8333455	A4	82	756545	8333344	B1	142	756338	8333351
A2	23	756485	8333455	A4	83	756546	8333346	B1	143	756336	8333354
A2	24	756485	8333455	A4	84	756548	8333352	B1	144	756337	8333358
A2	25	756486	8333455	A4	85	756551	8333357	B1	145	756389	8333396
A2	26	756497	8333434	A4	86	756552	8333361	B1	146	756400	8333431
A2	27	756493	8333432	A4	87	756552	8333366	B1	147	756404	8333436
A2	28	756452	8333409	A4	88	756556	8333366	B1	148	756410	8333442
A2	29	756440	8333430	A4	89	756556	8333366	B1	149	756412	8333446
A2	30	756443	8333431	A4	90	756555	8333363	B1	150	756414	8333450
A2	31	756437	8333441	A4	91	756554	8333359	B1	151	756417	8333453
A2	32	756474	8333463	A4	92	756552	8333355	B1	152	756420	8333455
A2	33	756481	8333452	A4	93	756550	8333351	B1	153	756423	8333458
A2	34	756481	8333453	A4	94	756549	8333347	B1	154	756472	8333514
A2	35	756481	8333453	A4	95	756547	8333343	B1	155	756474	8333516
A3	36	756490	8333456	A4	96	756549	8333342	B1	156	756476	8333517
A3	37	756490	8333456	A4	97	756520	8333293	B1	157	756478	8333516
A3	38	756490	8333456	A4	98	756499	8333305	B1	158	756480	8333515
A3	39	756494	8333452	A4	99	756528	8333354	B1	159	756450	8333473
A3	40	756507	8333439	A5	100	756546	8333299	B1	160	756449	8333472
A3	41	756521	8333425	A5	101	756551	8333295	B1	161	756465	8333481
A3	42	756524	8333421	A5	102	756540	8333279	B1	162	756466	8333482
A3	43	756523	8333420	A5	103	756535	8333282	B1	163	756466	8333482
A3	44	756522	8333419	A5	104	756546	8333299	B1	164	756470	8333484
A3	45	756519	8333423	A6	105	756454	8333329	B1	165	756475	8333486
A3	46	756516	8333426	A6	106	756461	8333324	B1	166	756479	8333487
A3	47	756504	8333438	A6	107	756461	8333324	B1	167	756484	8333488
A3	48	756492	8333450	A6	108	756456	8333318	B1	168	756488	8333488
A3	49	756489	8333454	A6	109	756456	8333317	B1	169	756493	8333487
A3	50	756489	8333454	A6	110	756468	8333308	B1	170	756498	8333486
A3	51	756488	8333454	A6	111	756450	8333286	B1	171	756502	8333484
A3	52	756488	8333454	A6	112	756431	8333302	B1	172	756502	8333484
A3	53	756487	8333454	A6	113	756454	8333329	B1	173	756497	8333488
A3	54	756487	8333454	A7	114	756421	8333290	B1	174	756477	8333505
A3	55	756487	8333454	A7	115	756430	8333301	B1	175	756450	8333473
A3	56	756487	8333454	A7	116	756450	8333285	B1	176	756467	8333481
A3	57	756486	8333454	A7	117	756440	8333274	B1	177	756449	8333471
A3	58	756486	8333455	A7	118	756421	8333290	B1	178	756452	8333466
A3	59	756486	8333455	B1	119	756480	8333515	B1	179	756470	8333476
A3	60	756486	8333456	B1	120	756505	8333494	B1	180	756467	8333481


## Attachment to Plan: 2006-17317 SRA

## Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 54

PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE

SARA ref: 2006-17317 SRA  
Date: 27 July 2009



Note: Derived Reference Points are provided to assist in the location of the area boundaries.  
Responsibility for locating area boundaries lies solely with the landholder and delegated contractor(s).  
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Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	181	756515	8333470	B1	241	756494	8333381	B1	301	756471	8333252
B1	182	756526	8333451	B1	242	756498	8333389	B1	302	756738	8333029
B1	183	756528	8333446	B1	243	756502	8333375	B1	303	756828	8333211
B1	184	756530	8333442	B1	244	756505	8333378	B1	304	756820	8333385
B1	185	756530	8333437	B1	245	756509	8333381	B1	305	756561	8333435
B1	186	756530	8333432	B1	246	756516	8333385	B1	306	756553	8333441
B1	187	756530	8333428	B1	247	756516	8333385	B1	307	756541	8333451
B1	188	756529	8333423	B1	248	756517	8333385	B1	308	756511	8333476
B1	189	756527	8333419	B1	249	756517	8333385	B1	309	756513	8333474
B1	190	756524	8333415	B1	250	756519	8333386	B1	310	756514	8333471
B1	191	756521	8333411	B1	251	756520	8333386	B1	311	756515	8333470
B1	192	756518	8333408	B1	252	756521	8333386	B1	312	756440	8333274
B1	193	756514	8333406	B1	253	756521	8333386	B1	313	756450	8333285
B1	194	756499	8333397	B1	254	756526	8333387	B1	314	756430	8333301
B1	195	756498	8333397	B1	255	756531	8333387	B1	315	756421	8333290
B1	196	756498	8333397	B1	256	756535	8333388	B1	316	756440	8333274
B1	197	756494	8333394	B1	257	756540	8333385	B1	317	756535	8333282
B1	198	756485	8333390	B1	258	756544	8333382	B1	318	756540	8333279
B1	199	756477	8333385	B1	259	756547	8333381	B1	319	756551	8333295
B1	200	756468	8333380	B1	260	756561	8333373	B1	320	756546	8333299
B1	201	756460	8333377	B1	261	756562	8333372	B1	321	756535	8333282
B1	202	756450	8333376	B1	262	756564	8333371	B1	322	756520	8333293
B1	203	756441	8333378	B1	263	756564	8333371	B1	323	756549	8333342
B1	204	756433	8333382	B1	264	756566	8333370	B1	324	756547	8333343
B1	205	756426	8333389	B1	265	756570	8333367	B1	325	756549	8333347
B1	206	756421	8333397	B1	266	756573	8333364	B1	326	756550	8333351
B1	207	756416	8333405	B1	267	756576	8333361	B1	327	756552	8333355
B1	208	756412	8333413	B1	268	756579	8333357	B1	328	756554	8333359
B1	209	756409	8333421	B1	269	756580	8333353	B1	329	756555	8333363
B1	210	756408	8333425	B1	270	756582	8333349	B1	330	756556	8333366
B1	211	756379	8333391	B1	271	756582	8333345	B1	331	756556	8333366
B1	212	756348	8333355	B1	272	756582	8333341	B1	332	756552	8333366
B1	213	756398	8333314	B1	273	756582	8333341	B1	333	756552	8333361
B1	214	756405	8333323	B1	274	756582	8333341	B1	334	756551	8333357
B1	215	756405	8333323	B1	275	756581	8333332	B1	335	756548	8333352
B1	216	756405	8333323	B1	276	756581	8333332	B1	336	756546	8333346
B1	217	756409	8333327	B1	277	756578	8333324	B1	337	756545	8333344
B1	218	756413	8333330	B1	278	756574	8333319	B1	338	756528	8333354
B1	219	756418	8333332	B1	279	756574	8333319	B1	339	756499	8333305
B1	220	756423	8333334	B1	280	756548	8333276	B1	340	756520	8333293
B1	221	756428	8333334	B1	281	756546	8333272	B1	341	756440	8333430
B1	222	756433	8333334	B1	282	756542	8333269	B1	342	756452	8333409
B1	223	756438	8333334	B1	283	756539	8333266	B1	343	756493	8333432
B1	224	756443	8333332	B1	284	756534	8333263	B1	344	756497	8333434
B1	225	756447	8333330	B1	285	756530	8333262	B1	345	756486	8333455
B1	226	756452	8333327	B1	286	756526	8333261	B1	346	756485	8333455
B1	227	756431	8333302	B1	287	756521	8333260	B1	347	756485	8333455
B1	228	756450	8333286	B1	288	756517	8333260	B1	348	756485	8333455
B1	229	756468	8333308	B1	289	756513	8333261	B1	349	756484	8333455
B1	230	756456	8333317	B1	290	756509	8333262	B1	350	756484	8333456
B1	231	756456	8333318	B1	291	756509	8333262	B1	351	756484	8333456
B1	232	756459	8333321	B1	292	756508	8333263	B1	352	756484	8333456
B1	233	756467	8333314	B1	293	756506	8333263	B1	353	756484	8333456
B1	234	756467	8333315	B1	294	756506	8333263	B1	354	756483	8333456
B1	235	756467	8333315	B1	295	756482	8333277	B1	355	756483	8333456
B1	236	756469	8333319	B1	296	756481	8333274	B1	356	756483	8333456
B1	237	756470	8333322	B1	297	756479	8333270	B1	357	756482	8333456
B1	238	756485	8333346	B1	298	756477	8333267	B1	358	756482	8333455
B1	239	756489	8333354	B1	299	756474	8333263	B1	359	756482	8333455
B1	240	756490	8333355	B1	300	756468	8333255	B1	360	756481	8333455

## Attachment to Plan: 2006-17317 SRA

## Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 54



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Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	361	756481	8333454	B2	421	770186	8338803				
B1	362	756481	8333454	B2	422	770163	8338803				
B1	363	756481	8333453	B2	423	770140	8338803				
B1	364	756481	8333453	B2	424	770113	8338819				
B1	365	756481	8333453	B2	425	770078	8338846				
B1	366	756481	8333452	B2	426	770074	8338871				
B1	367	756474	8333463	B2	427	770088	8338903				
B1	368	756437	8333441	B2	428	770100	8338910				
B1	369	756443	8333431	B2	429	770119	8338922				
B1	370	756440	8333430	B2	430	770144	8338941				
B1	371	756486	8333456	B2	431	770161	8338940				
B1	372	756486	8333456	B2	432	770174	8338940				
B1	373	756486	8333455	B2	433	770211	8338908				
B1	374	756486	8333455	B2	434	770135	8338851				
B1	375	756486	8333454	B2	435	770148	8338843				
B1	376	756487	8333454	B2	436	770155	8338846				
B1	377	756487	8333454	B2	437	770163	8338848				
B1	378	756487	8333454	B2	438	770181	8338848				
B1	379	756487	8333454	B2	439	770188	8338850				
B1	380	756488	8333454	B2	440	770185	8338864				
B1	381	756488	8333454	B2	441	770178	8338879				
B1	382	756489	8333454	B2	442	770158	8338896				
B1	383	756489	8333454	B2	443	770146	8338885				
B1	384	756492	8333450	B2	444	770142	8338883				
B1	385	756504	8333438	B2	445	770134	8338878				
B1	386	756516	8333426	B2	446	770126	8338876				
B1	387	756519	8333423	B2	447	770117	8338874				
B1	388	756522	8333419	B2	448	770114	8338867				
B1	389	756523	8333420	B2	449	770128	8338857				
B1	390	756524	8333421	B2	450	770135	8338851				
B1	391	756521	8333425	B3	451	772752	8340210				
B1	392	756507	8333439	B3	452	772718	8340189				
B1	393	756494	8333452	B3	453	772716	8340187				
B1	394	756490	8333456	B3	454	772712	8340185				
B1	395	756490	8333456	B3	455	772709	8340181				
B1	396	756490	8333456	B3	456	772709	8340181				
B1	397	756490	8333457	B3	457	772660	8340137				
B1	398	756490	8333457	B3	458	772659	8340141				
B1	399	756490	8333458	B3	459	772639	8340163				
B1	400	756489	8333458	B3	460	772629	8340184				
B1	401	756489	8333458	B3	461	772631	8340205				
B1	402	756488	8333458	B3	462	772646	8340222				
B1	403	756488	8333458	B3	463	772665	8340236				
B1	404	756488	8333458	B3	464	772704	8340240				
B1	405	756487	8333458	B3	465	772731	8340232				
B1	406	756487	8333458	B3	466	772745	8340218				
B1	407	756487	8333458	B3	467	772747	8340215				
B1	408	756487	8333458	B3	468	772752	8340210				
B1	409	756486	8333458								
B1	410	756486	8333457								
B1	411	756486	8333457								
B1	412	756486	8333457								
B1	413	756486	8333457								
B1	414	756486	8333456								
B1	415	756486	8333456								
B2	416	770211	8338908								
B2	417	770227	8338881								
B2	418	770238	8338833								
B2	419	770215	8338810								
B2	420	770194	8338805								

## 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

- 
- (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—

- 
- (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.



- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

- (4) In this section—

*decision* includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

*non-appealable*, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

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.

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## Schedule 1 Appeals

## section 229

### 1 Appeal rights and parties to appeals

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

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

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

*storey* see the Building Code, part A1.1.

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

<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul 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> </ul>
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<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>2. Change applications</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>			

<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 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>			



<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)
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

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

<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
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>			
<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

<b>Table 3 Appeals to a tribunal only</b>			
<p><b>1. Building advisory agency appeals</b> 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>			
<b>Column 1 Appellant</b>	<b>Column 2 Respondent</b>	<b>Column 3 Co-respondent (if any)</b>	<b>Column 4 Co-respondent by election (if any)</b>
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	—	—