



Contact Officer: Nick Whittle  
Our Ref: DA/21/2019

19 September 2019

Edamgrove Pty Ltd  
C/- Insite SJC  
PO Box 1688  
BUNDABERG QLD 4670

Dear Sir/Madam

**NOTICE OF DECISION**  
**PLANNING ACT 2016 S63**

**DA/21/2019 - MATERIAL CHANGE OF USE - CODE**  
**ROOMING ACCOMMODATION (28 UNITS)**  
**24 WILLIAM STREET, GLADSTONE QLD 4680**  
**LOT 20 SP 152415**

Reference is made to the above Development Application and the Confirmation Notice dated 1 July 2019.

I wish to advise that the application was assessed under Delegated Authority on 19 September 2019 and was approved. The approval is supported by a Notice of Reasons and is subject to conditions as set out in the following Notice of Decision.

Should you have any questions or require further clarification in relation to any matters raised in the Decision Notice, please do not hesitate to contact Council's Planning Officer Nick Whittle on (07) 4970 0700.

Yours faithfully

H A ROBERTSON  
**MANAGER DEVELOPMENT SERVICES**



**GLADSTONE**  
REGIONAL COUNCIL

**NOTICE OF DECISION - DA/21/2019**  
**PLANNING ACT 2016 S63**

Application:	Material Change of Use - Code - Rooming Accommodation (28 units) and Manager's Residence
Applicant Name & Address:	Edamgrove Pty Ltd C/- Insite SJC PO Box 1688 BUNDABERG QLD 4670
Owner:	Edamgrove Pty Ltd
Subject Land:	24 William Street, GLADSTONE QLD 4680
Location:	Lot 20 SP 152415
Zoning:	Principal Centre
Site Area:	2,270m <sup>2</sup>
Definition of Use:	<p><i>“Rooming Accommodation”:</i> <i>Premises used for the accommodation of one or more households where each resident:</i></p> <ul style="list-style-type: none"><li><i>• has a right to occupy one or more rooms</i></li><li><i>• does not have a right to occupy the whole of the premises in which the rooms are situated</i></li><li><i>• may be provided with separate facilities for private use</i></li><li><i>• may share communal facilities or communal space with one or more of the other residents.</i></li></ul> <p><i>The use may include:</i></p> <ul style="list-style-type: none"><li><i>• rooms not in the same building on site</i></li><li><i>• provision of a food or other service</i></li><li><i>• on site management or staff and associated accommodation.</i></li></ul> <p><i>Facilities includes furniture and equipment as defined in the Residential Tenancies and Rooming Accommodation Act 2008.</i></p>
Submissions Received:	N/A
Application Received:	N/A
Planning Scheme:	<i>Our Place Our Plan Gladstone Regional Council Planning Scheme V2</i>

You are advised that your application was Approved in Full. The conditions relevant to this approval are attached. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

## 1. DETAILS OF THE APPROVAL

	Development Permit	Preliminary Approval
• <b>Material change of use</b> made assessable by the planning scheme	✓	x

## 2. BENCHMARKS APPLIED TO THE DEVELOPMENT

The following is a description of the assessment benchmarks applying to the development:

Benchmarks applying to the development	Benchmark Reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"><li>• <i>Natural Hazards Risk &amp; Resilience</i></li><li>• <i>Strategic Airports &amp; Aviation Facilities</i></li></ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"><li>• <i>Acid Sulphate Soils Overlay Code;</i></li><li>• <i>Airport Environs Overlay Code;</i></li><li>• <i>Principal Centre Zone Code;</i></li><li>• <i>Development Design Code; and</i></li><li>• <i>Landscaping Code</i></li></ul>

## 3. CURRENCY PERIOD FOR THE APPROVAL

The currency periods stated in section 85 of the *Planning Act 2016* apply to each aspect of development in this approval, as outlined below unless otherwise conditioned within this approval:-

- ✓ material change of use - 6 years

## 4. APPROVED PLANS

The approved plans and/or documents for this development approval are listed in the following table:

Drawing Number	Revision	Description	Author	Date
WD02		Ground Floor and Site Plan	Paul Cruice Architect Pty Ltd	Sept 2002
Y9375D01	A	Lower and Upper Floor Fire Services Plan	Stephen Strachan Engineering Services Pty Ltd	20 Nov 2002

## 5. OTHER NECESSARY DEVELOPMENT PERMITS

Listed below are other development permits that are necessary to allow the development to be carried out: -

1. Plumbing & Drainage Works

## 6. NOTICE OF REASONS

The following provides the Notice of Reasons under section 63(5) of the *Planning Act 2016*:

**Description of the development:**

The approved development is for a Material Change of Use of Premises for a Rooming Accommodation.

**Assessment Benchmarks:**

Benchmarks applying to the development	Benchmark Reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> <li>• <i>Natural Hazards Risk &amp; Resilience</i></li> <li>• <i>Strategic Airports &amp; Aviation Facilities</i></li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> <li>• <i>Acid Sulphate Soils Overlay Code;</i></li> <li>• <i>Airport Environs Overlay Code;</i></li> <li>• <i>Principal Centre Zone Code;</i></li> <li>• <i>Development Design Code; and</i></li> <li>• <i>Landscaping Code</i></li> </ul>

**Reasons for the Assessment Managers Decision:**

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
2. The Application is deemed compliant with the relevant benchmarks of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

**Reasons for Approval despite any Non-compliance with certain Benchmarks:**

Benchmarks applying for the development	Benchmark Reference
<i>Principal Centre Zone Code Table 6.2.6 – Performance Outcome 8</i>	<i>Compliance with Principal Centre Zone Code - Performance Outcome 8 via Condition</i>
<i>Principal Centre Zone Code Table 6.2.6 – Performance Outcome 12</i>	<i>Compliance with Principal Centre Zone Code - Performance Outcome 12 via Condition</i>
<i>Principal Centre Zone Code Table 6.2.6 – Performance Outcome 13</i>	<i>Compliance with Principal Centre Zone Code - Performance Outcome 13 via Condition</i>
<i>Principal Centre Zone Code Table 6.2.6 – Performance Outcome 15</i>	<i>Compliance with Principal Centre Zone Code - Performance Outcome 15 via Condition</i>
<i>Principal Centre Zone Code Table 6.2.6 – Performance Outcome 16</i>	<i>Compliance with Principal Centre Zone Code - Performance Outcome 16 via Condition</i>
<i>Principal Centre Zone Code Table 6.2.6 – Acceptable Outcome 34.1</i>	<i>Compliance with Principal Centre Zone Code - Acceptable Outcome 34.1 via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 9</i>	<i>Compliance with Development Design Code - Performance Outcome 9 via a condition</i>
<i>Landscaping Code – Table 9.3.5.3.1</i>	<i>Compliance with Landscaping Code - Table 9.3.5.3.1 via a Condition</i>

**Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:**

N/A

**Matters raised in Submissions and Councils response in dealing with these matters:**

NIL

**Matters prescribed by a Regulation:**

N/A

**7. APPEAL RIGHTS**

Schedule 1 of the *Planning Act 2016* details your appeal rights and the appeal rights of any submitters regarding this decision.

**8. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT**

This development approval takes effect:-

- From the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court.

**OR**

- If there is a submitter and the applicant does not appeal the decision, the earlier date of either:
  - When the submitter's appeal ends; or
  - The day the last submitter gives the assessment manager written notice that the submitter will not be appealing the decision.

**OR**

- Subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

This approval will lapse if:-

- for a material change of use, the first change of use under the approval does not start within the relevant period stated in section 3 of this Notice of Decision;
- for a reconfiguration, a plan for the reconfiguration is not given to the local government within the relevant period stated in section 3 of this Notice of Decision;
- for a development approval other than a material change of use or reconfiguration, the development does not substantially start within the relevant period stated in section 3 of this Notice of Decision.

Should you wish to discuss this matter further, please contact Council's Planning Officer  
Nick Whittle on (07) 4970 0700.

Yours faithfully

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

H A ROBERTSON  
**MANAGER DEVELOPMENT SERVICES**

**Attached:     Conditions**  
**Appeal Rights**  
**Approved Plans**



### ASSESSMENT MANAGER CONDITIONS - DA/21/2019

The following provides the Conditions of Approval under section 63(2)(3e) of the *Planning Act 2016*:

#### **Approved Documentation:**

1. Development is to be carried out generally in accordance with the submitted application, including the following plans and supporting documentation except where amendments are required to satisfy the conditions imposed of this approval:

Drawing Number	Revision	Description	Author	Date
WD02		Ground Floor and Site Plan	Paul Cruice Architect Pty Ltd	Sept 2002
Y9375D01	A	Lower and Upper Floor Fire Services Plan	Stephen Strachan Engineering Services Pty Ltd	20 Nov 2002

#### **Special Conditions**

2. Prior to the commencement of the use a Streetscaping Plan is to be developed and submitted and shall include, but not limited to the following elements: -
  - a. A functional and aesthetically pleasing interface to further activate William Street frontage;
  - b. Landscaping in the form of pots or planter boxes;
  - c. Proposed architectural treatments that create visual interest and promote identity (e.g. window awnings, pot plants, street furniture, artwork and lighting);
  - d. Render surface treatments and improvement/alterations to existing William Street and Central Lane facades; and
  - e. Provision of a delineated, concrete pedestrian footpath the full frontage of William Street.

The Streetscaping Plan is to be consistent with the principles of the Jumpstart Our City Heart Urban Renewal Strategy and approved by Council prior to its commissioning.

3. Prior to the commencement of the use, the Applicant is to install external lighting that illuminates the ground level and provides a clearly defined entrance to the development.
4. Upon commencement of the use, the Caretakers Accommodation is only to be occupied by the proprietor, manager or caretaker of the business activities, together with any immediate family of that person.

## **Transportation Services**

5. Prior to the commencement of the use, the Applicant is to provide a minimum of 30 car parking spaces including the designation and signage of 28 rooming accommodation spaces, one manager residence space and one disabled car parking space. These spaces and all vehicle movement areas are to be line marked, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the Our Place Our Plan Gladstone Regional Council Planning Scheme and AS2890.1.

*Advisory Note: Parking for people with disabilities must be provided in accordance with AS2890.6 (2009).*

6. Prior to the commencement of use, a total of 4 bicycle spaces are to be provided onsite.
7. Prior to the commencement of the use, the Applicant is to clearly sign and delineate a turning bay, such that no parking occurs at any time within that space.

## **Landscaping**

8. Prior to the commencement of the use, existing vegetation is to be enhanced with native plant species in accordance with Table 9.3.5.3.2 – Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and the Capricorn Municipal Development Guidelines- Landscaping C273 Construction Specification.
9. Prior to the commencement of the use, landscape planting is provided within the communal pool area and the corner of William Street and Central Lane. The proposed landscaping is to be in accordance with Table 9.3.5.3.2 – Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and the Capricorn Municipal Development Guidelines- Landscaping C273 Construction Specification.

## **Waste Management**

10. Prior to the commencement of the use, refuse bins are to be provided in accordance with Table SC6.7.3.2 of Schedule 6.7 Waste Management at a rate of seven x 240L general waste storage bins serviced once a week, and seven x 240L recycling bins serviced fortnightly.
11. Prior to the commencement of the use, the waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.
12. Prior to the commencement of the use, the Applicant is required to obtain a Trade Waste Permit to discharge trade waste to the Sewer in accordance with Councils Trade Waste Approval Process prior to Plumbing Final being issued.

*Advisory Note: Applications for Trade Waste Discharge can be found at <http://www.gladstone.qld.gov.au/trade-waste-approval-process>.*



### **Lawful Commencement**

13. Prior to the commencement of this use, the Applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
14. Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

### ***END OF CONDITIONS***

#### **Advice to Applicant:**

Council's Infrastructure Charges Incentive Policy may be applicable to this development. Please see the full Policy on Council's website.

An Adopted Infrastructure Charge Notice in relation to the infrastructure charges applicable to this development has been provided separately.

Under the *Our Place, Our Plan Gladstone Regional Planning Scheme* Advertising Devices Code, Advertising Devices are Acceptable development subject to requirements. When unable to comply with all the acceptable outcomes of the Code a development application to Council is required.

If Applicable, the Applicant may require a Food Business Licence application and a Food Design Application. If required, these applications are to be submitted to Council for approval in accordance with the Food Act 2006.

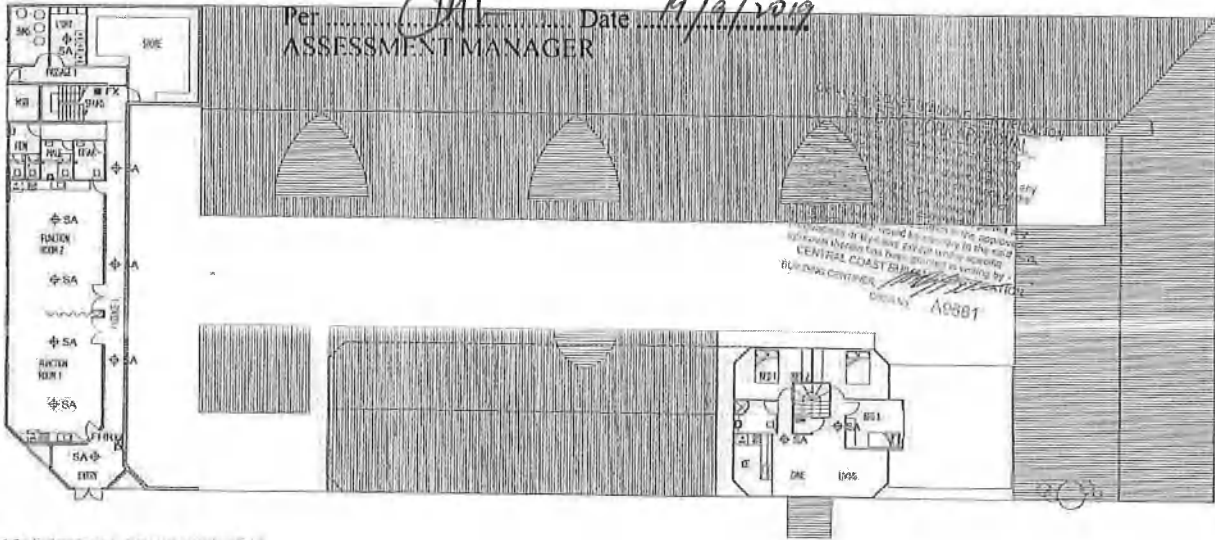
GLADSTONE REGIONAL COUNCIL  
GLADSTONE OFFICE

This Plan is approved subject to the attached

Decision Notice No. 04/21/2019

NOTE: A signed & stamped copy of Approved Plans to be kept on site at ALL times.

Per [Signature] Date 19/9/2019  
ASSESSMENT MANAGER



1. Smoke alarms in all rooms. Connected to F.I.P. - AS3786
2. Stowed hydrant. Refer G.C.C. attached plan
3. Alarm system connected to remote indicator panel.  
Indicator panel divided into 3 zones - Restaurant  
- Accommodation  
- Function Room
4. Heat detectors in kitchen to be wired to smoke alarm system

Lower & Upper Floor Fire Services Plan  
Scale: 1:200

- ⊕ SA Smoke Alarm hard wired
- ⊕ FX Fire Extinguisher 2.4kg chemical
- ⊕ HD Heat Detector thermal alarm
- ⊕ FHR Fire Hose Reel
- FIP Fire Indicator Panel

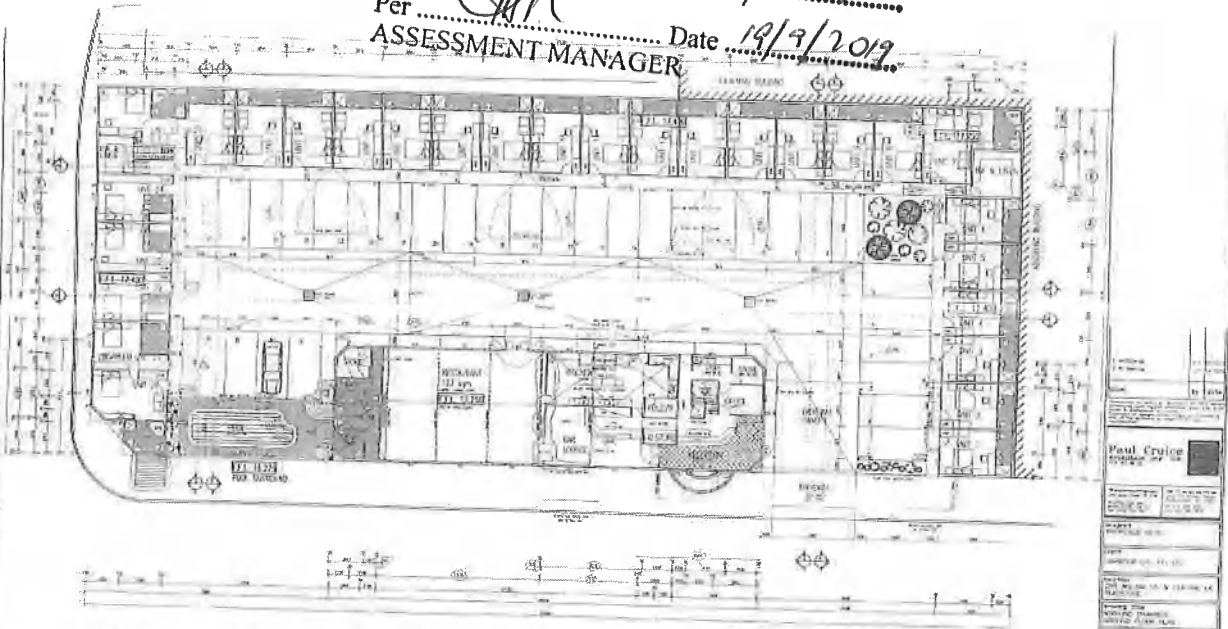
DRAWING REVISIONS				STEPHEN STRACHAN ENGINEERING SERVICES PTY. LTD.	DRAWN: S. JONES	DATE: 20 NOV 2012	Client: HARBOUR CITY MOTEL	
REV.	DATE	REVISION DESCRIPTION	IRTS.				BY: PROPOSED DEVELOPMENT AT	Address: Cnr WILLIAM STREET & CENTRAL LAKE, GLADSTONE
				17 Flinders Parade Gladstone Q. 4680 PH (07) 4972 5246 FAX (07) 4972 5248 Mobile 0412 091 431	SCALE: 1:200	DESIGNED: S. Strachan	FIRE SERVICES DESIGN	
							Drawing Name: LOWER & UPPER FLOOR FIRE SERVICES PLAN	Drawing Number: Y9375D01

GLADSTONE REGIONAL COUNCIL  
GLADSTONE OFFICE

This Plan is approved subject to the attached

Decision Notice No. DA/21/2019

Per [Signature] Date 19/9/2019  
ASSESSMENT MANAGER



GROUND FLOOR & SITE PLAN

<b>Paul Cruise</b> ARCHITECT 1/100 RIVERVIEW ROAD GLADSTONE QLD 4750 PH: 08 4933 1111 FAX: 08 4933 1112 WWW: paulcruise.com.au	
PROJECT NO. DA/21/2019	DATE 19/9/2019
CLIENT [Name]	DRAWING NO. GROUND FLOOR & SITE PLAN
SCALE 1:100	SHEET NO. 1 OF 1
PREPARED BY [Name]	
CHECKED BY [Name]	
APPROVED BY [Name]	
DATE 19/9/2019	
PROJECT NO. DA/21/2019	
SHEET NO. 1 OF 1	

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct* means an act or omission.
  - representative* means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind*, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## 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 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.

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- (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, table 1, item 1—each principal submitter for the development application; and
  - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
  - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (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 Other appeals**

- (1) Subject to this chapter, 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—

## 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; 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>
1. Development applications For a development application other than an excluded application, an appeal may be made against— <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>

<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	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>
<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>			

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

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

<p align="center"><b>Table 2</b> <b>Appeals to the P&amp;E Court only</b></p>			
<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>

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



<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 dissatisfied with the decision	The local government to which the claim was made	—	—
<p>5. Registered premises</p> <p>An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
<p>6. Local laws</p> <p>An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

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

<b>Table 3 Appeals to a tribunal only</b>			
<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 Plumbing and Drainage Act</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 Plumbing and Drainage Act, part 4 or 5, 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 person who 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>			
<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 was entitled to receive notice of the decision	The local government to which the application was made	—	—