



Decision Notice Approval (amended)

Planning Act Form 5 (version 1.1 effective 22 June 2018) made under Section 282 of the Planning Act 2016 for a decision notice (approval) under s83 (change application) Planning Act 2016, and Section 3.5.15 of the Integrated Planning Act 1997

Application number:	D-R/74-2004	Contact:	Sophie Muggeridge
Notice Date:	6 April 2022	Contact Number:	1300 22 55 77

APPLICANT DETAILS

Name:	Goodstart Early Learning Limited		
Postal address:			
Phone no:		Email:	

I acknowledge receipt of the above change application on 10 March 2022 and confirm the following:

DEVELOPMENT APPROVAL

Development Permit for a MCU Impact for a Material Change of Use (Day Care Centre)

PROPERTY DESCRIPTION

Street address:	245 Campbell Street, Rockhampton City
Real property description:	Lot 4010 on R1675 Parish of Rockhampton

OWNER DETAILS

Name:	Goodstart Early Learning Limited
Postal address:	
Dear Goodstart Early Learning Limited	
I advise that, on 29 March 2022 the above change application was:	
<input checked="" type="checkbox"/> approved in full with conditions* (refer to the conditions contained in Attachment 1)	
*Note: The conditions show which conditions have been imposed by the assessment manager and which conditions have been imposed by a referral agency.	

CHANGES TO CONDITIONS

The conditions which have been changed or cancelled are as follows:

3. Condition	Changed	29 March 2022
--------------	---------	---------------

1. DETAILS OF THE APPROVAL

	Development Permit	Preliminary Approval
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- Building work assessable under the planning scheme
- Plumbing or drainage work
- Material Change of use
- Reconfiguring a lot
- Operational work

--	--

2. CONDITIONS

This approval is subject to the conditions in Attachment 1.

3. FURTHER DEVELOPMENT PERMITS REQUIRED

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

Type of development permit required	Subject of the required development permit
Building Works	

4. REFERRAL AGENCIES

The following Referral Agencies were activated by this application.

Trigger B

The development proposal has access to a local road that intersects and is within 200 metres of a State-Controlled road.

5. THE APPROVED PLANS

The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

- Job No. 8396 Sheet P2 drawn by Miles Blucher Architect and dated December 2003 and;
- Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004

6. CURRENCY PERIOD FOR THE APPROVAL

The standard relevant periods stated in section 85 of *Planning Act 2016* apply to each aspect of development in this approval, if not stated in the conditions of approval attached.

7. RIGHTS OF APPEAL

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision 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*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

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

- When the submitter's appeal period ends – if there is a submitter and the applicant does not appeal the decision to the court.

Or

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

9. ORIGINAL DECISION ASSESSMENT MANAGER

Name: Marco Alberti <u>MANAGER PLANNING SERVICES</u>	Date: 2 June 2004
---	-------------------

10. ASSESSMENT MANAGER

Name: Tarnya Fitzgibbon <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Signature:	Date: 6 April 2022
---	------------	--------------------

Attachment 1 – Conditions of the approval

Part 1 – Conditions imposed by the assessment manager [Note: where a condition is imposed about infrastructure under Chapter 4 of the Planning Act 2016, the relevant provision of the Act under which this condition was imposed must be specified.]

Part 2 – Conditions required by the referral agency response

Attachment 2—Extract on appeal rights

MATERIAL CHANGE OF USE:

CURRENCY PERIOD & APPROVED PLANS

1. a. In accordance with the provisions of the Integrated Planning Act 1997 this Development Permit for a Material Change of Use (Day Care Centre) has a currency period of four (4) years from the date the approval takes effect
- b. This Development Permit shall be in accordance with the following approved Job Numbers:
 - Job No. 8396 Sheet P2 drawn by Miles Blucher Architect and dated December 2003 and;
 - Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004

CAPACITY OF DAY CARE CENTRE

2. The Day Care Centre shall have a maximum capacity of seventy-five (75) spaces located on Lot 1 to 8 on RP600 127.

HOURS OF OPERATION

3. **Unless otherwise approved in writing by Council the hours of operation shall be: -**
Monday – Friday 6:00 am to 6:00 pm
No operation on Saturday, Sunday or Public Holidays.

ACCESS AND CAR PARKING

4. In accordance with Part 5, Division VIII, Provision 12(5)(a) of the Transitional Town Planning Scheme, Council grants a relaxation of the pick-up and setdown area required for the proposed development.
5. Prior to the commencement of the use, the owner of the land is to provide a minimum of thirteen (13) carparking spaces on site in accordance with Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004 on Lots 1 to 8 on RP600127. All car parks shall be line marked, sealed, drained and landscaped in accordance with the Transitional Town Planning Scheme for the City of Rockhampton.
6. The owner of the land is to ensure, prior to the commencement of the use that the driveway and carparking area is separated from the landscaped area by the construction of a minimum 150 mm. high kerb or dwarf wall.
7. The owner of the land is to ensure that staff and visitors vehicles are parked in the spaces provided on the subject premises and not on landscaping areas during the operation of the use.
8. The owner of the land is to ensure that all redundant vehicular crossings in the road reserve are removed and replaced with Council's standard kerb and channel prior to commencement of the use.
9. The owner of the shall construct, prior to the commencement of the use, a 1.2 metre wide footpath, for the full length of road frontage along Campbell Street, where an existing footpath does not already exist. The area of footpath not paved shall be topsoiled and

turfed. The footpath shall be constructed in accordance with Council's Specification and consistent in width and type of existing footpaths in the immediate area.

10. The owner of the land shall construct a reinforced concrete crossover for the carparking access point as shown on Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004, prior to the commencement of the use in accordance with the Council Capricorn Municipal Development Manual (CMDM).

LANDSCAPING

11. The owner shall, prior to the commencement of the use, submit to, and have approved by Council, a landscape plan drawn by a suitably qualified landscape designer.

The landscaping plan shall contain the following information:

- a. Outline of the proposed structures;
 - b. Existing trees;
 - c. Trees to be removed;
 - d. Proposed planting (quantity, species and expected mature height);
 - e. Proposed earth mounding;
 - f. The method of planting and the proposed maintenance program;
12. Landscaping shall be completed to the satisfaction of Council prior to the commencement of the use in accordance with the approved plan. All landscaping shall be maintained to Council's satisfaction.

FENCING

13. The owner of the land, prior to the commencement of the use, shall install a 2.4 metre high timber acoustic fence being (double lapped and capped) in the location as identified on Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004.
14. The owner of the land shall, prior to the commencement of the use, install a minimum 1.2 metre high fence with a minimum 75% transparency along the road frontages of the site, with the exception of Kent Lane which shall have minimum 75% screening. A 1.8 metre fence with a minimum 75% screening shall be erected along the Campbell Street boundary.

STORMWATER

15. The owner of the land shall ensure that all stormwater runoff from roof and carparking areas within the site shall be discharged directly via pipes to the kerb and channel in either Kent Lane or Campbell Street in accordance with ASINZS 3500.3:2003 - National Plumbing and Drainage Code prior to the commencement of the use. Under no circumstances shall runoff water from the site be diverted, redirected, intensified and/or concentrated in a manner that may cause or potentially cause a nuisance/damage to adjoining upstream or downstream properties or a hazard to pedestrians.

SIGNAGE

16. The owner shall not erect any sign or similar device on the subject land unless a plan is submitted detailing the location, size, type and content and such plan shall be approved by the Chief Executive Officer as well as conform to the provisions of the Signs Bylaw.

LIGHTING

17. The owner of the land shall ensure that any outdoor lighting is installed and maintained in accordance with Australian Standard A54282 "Control of the obtrusive effects of Outdoor Lighting."

AMALGAMATION OF LOTS

18. The owner of the land shall, prior to the commencement of the use, apply to the Department of Natural Resources and Mines to amalgamate Lots 1 to 8 on RP600127 &

Lot 4010 on R1675 into one title. The amalgamation of these allotments shall be completed prior to any approval for Building Works on the site for the construction of the Day Care Centre.

SEWER LOCATION

19. The proposed building is located over the existing sewer access chamber in lot 3. As shown on Job No. 8396 drawn by Miles Blucher Architect and dated March 2004, the access chamber is required to be relocated at the applicant's expense. Fitzroy River Water (FRW) can provide a quote for the work if requested. In addition, the proposal will require approval under Council's Building Over Sewers Policy. A CCTV inspection of the sewer may be required and FRW can carry out this inspection at a cost of \$171/hour on request. In addition, a Building Over Sewer assessment fee of \$145 shall apply. A sewer rehabilitation contribution may be required in accordance with the Council's Building Over Sewers Policy. The applicable contribution will be determined after firm details of the extent of the building over sewer and the CCTV inspection results are available.

INFRASTRUCTURE CONTRIBUTIONS

20. The owner of the land shall provide a payment of infrastructure contributions in accordance with Local Planning Policy No. 5 (Headworks Contribution Policy) and Council's Guidelines for Infrastructure Contribution, within fourteen (14) days of any approval for building works on site at the rate applicable at the time of payment. The amounts shown are applicable for the current financial year and are reviewed each financial year.
21. For the subject development, a contribution towards the following water and wastewater infrastructure components has been assessed.

Description	Rate per unit (\$)
Glenmore Water Treatment Plant Upgrade	752.65
Sewerage Treatment Plant Upgrade	883.70
South Rockhampton Low level trunk water mains	650.25
Total	2,286.6

The above assessment has been based on four (4) additional lot one (1) additional infrastructure unit for the subject development.

BUILDING WORKS

CURRENCY PERIOD AND APPROVED PLANS

1. a. In accordance with the provisions of the Integrated Planning Act 1997 this Preliminary Approval for Building Works Material Change of Use (Day Care Centre) has a currency period of four (4) years from the date the approval takes effect.
2. b. This Preliminary Approval shall be in accordance with the following approved Job Numbers: -
- Job No. 8396 Sheet P2 drawn by Miles Blucher Architect and dated March 2004 and;
 - Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated December 2003.

CONDITIONS OF APPROVAL – CONCURRENCE AGENCY

DEPARTMENT OF MAIN ROADS

- Attached to this Decision Notice

GROUND OF REFUSAL

- Not Applicable to this Decision Notice

OTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Works

THE FOLLOWING SELF ASSESSABLE CODES OF DEVELOPMENT APPLY TO THIS APPROVAL

- There are no codes applicable to this Decision Notice

NUMBER OF PROPERLY MADE SUBMISSIONS RECEIVED

- Nil



Attachment 1 – Part 2
Referral Agency Conditions

PLANNING ACT 2016

The following is an extract from the *Planning Act 2016*
(Chapter 6)

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.
- (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) 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.

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

232 Rules of the P&E Court

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

Schedule 1

Appeals section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—(a) the P&E court; or (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (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—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; 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.

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

1. Development applications An appeal may be made against— (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval.			
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	1 A concurrence agency that is not a co-respondent 2 If a chosen Assessment

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
		response—the concurrence agency	manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
<p>2. Change applications An appeal may be made against— (a) a responsible entity's decision for a change application, other than a decision made by the P&E court; or (b) a deemed refusal of a change application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
<p>3. Extension applications An appeal may be made against— (a) the assessment manager's decision about an extension application; or (b) a deemed refusal of an extension application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 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 An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds a) The notice involved an error relating to – (i) The application of the relevant adopted charge; or Examples of errors in applying an adopted charge – • The incorrect application of gross floor area for a non-residential development • Applying an incorrect 'use category', under a regulation, to the development (i) The working out of extra demands, for section 120; or (ii) An offset or refund; or b) The was no decision about an offset or refund; or c) If the infrastructure charges notice states a refund will be given – the timing for giving the refund; or d) The amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

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

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

Table 2			
Appeals to the P&E Court only			
application 2 For a change application—an eligible submitter for the change application	2 For a change application—the responsible entity	response—the concurrence agency	
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>An appeal may be made against a provision of a development approval, or 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 the change application, for the development approval, 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>	Another eligible submitter for the application
<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>			
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</p>	The Minister	-	If an owner or occupier starts the appeal – the owner of the registered premises

Table 2 Appeals to the P&E Court only			
affected area for the registered premises who is dissatisfied with the decision			
<p>6. Local laws 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>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	-	-

Table 3 Appeals to the tribunal only			
<p>1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</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	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval
<p>3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against a decision under—</p> <p>(a) the Building Act, other than a decision made by the Queensland Building and Construction Commission; or</p> <p>(b) the Plumbing and Drainage Act, part 4 or 5.</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, notice of the decision	The person who made the decision	-	-
<p>4. Local government failure to decide application under the Building Act 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>			
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	-	-