



Decision Notice Approval (amended)

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016 for a decision notice (approval) under s83 (change application) Planning Act 2016

Application number:	D/74-2023	Contact:	Kathy McDonald
Notice Date:	13 December 2023	Contact Number:	07 4936 8099

APPLICANT DETAILS

Name:	B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV)		
Postal address:	Level 6, 52 Merivale Street SOUTH BRISBANE QLD 4101		
Phone no:	07 4922 9252	Mobile no:	0423 707 578
Email:	scott.lucke@cqgroup.com.au		

I acknowledge receipt of the above change application on 22 November 2023 and confirm the following:

DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse

PROPERTY DESCRIPTION

Street address:	Lot 51 Enterprise Drive, Gracemere
Real property description:	Lot 51 on SP273020, Parish of Gracemere

Dear B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV)

I advise that, on **11 December 2023** the above change application was:

☒ 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:

1)	Item 6	Changed	11 December 2023
2)	Condition 2.0	Changed	11 December 2023
3)	Condition 15.4	Changed	11 December 2023
4)	Condition 16.0	New	11 December 2023
5)	Condition 16.1	New	11 December 2023
6)	Condition 16.2	New	11 December 2023

1. DETAILS OF THE APPROVAL

The following approvals are given:

	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Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - Material change of use	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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
Operational Works	<i>Access and Parking Works</i> <i>Stormwater Works</i> <i>Site Works</i>
Building Works	
Plumbing and Drainage Works	

4. SUBMISSIONS

Properly made submissions **were** ☒/**were not** ☐ made in relation to the application.

There were properly made submissions received from the following submitter(s):

Name of principal submitter	Residential or business address	Electronic address (if provided)
1. RW and TL Bowes	265 Somerset Road, Gracemere	tracey@zebragroup.com.au

5. REFERRAL AGENCIES

NIL

6. THE APPROVED PLANS

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

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version /Issue</u>
Site Overall Plan	QCV	22 November 2023	14-1061H-WD-02-6	6
Site Plan Main Area	QCV	22 November 2023	14-1061H-WD-03-6	6
Overall Site Ground Floor	QCV	22 November 2023	14-1061H-WD-04-6	6
Ground Finish Surfaces	Premise	7 July 2023	MIS-1080 / C005	D
Waste Management Report	McDonnell Dowell Constructors and B.M.D	26 June 2023	1151	A
A-double Vehicle Swept	Premise	-	-	-

Paths				
Traffic Impact Assessment	Premise	8 June 2023	MIS-1080/R01	A
Hume Ceptor System Technical Manual	Humes	-	-	-

7. CURRENCY PERIOD FOR THE APPROVAL

In accordance with section 85(1)(a)(ii) of the *Planning Act 2016*, the development approval lapses if the first change of use does not happen within six (6) years after the approval starts to have effect, if not stated otherwise in the conditions of approval attached.

8. STATEMENT OF REASONS

Description of the development	
Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse	
Reasons for Decision	
<p>a) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Low Impact Industry Zone Code; • Medium Impact Industry Zone Code; • Flood Hazard Overlay Code; • Steep Land Overlay Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; and • Water and Sewer Code. 	
Compliance with assessment benchmarks	
The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
Low Impact Industry Zone Code; and Medium Impact Industry Zone Code	<p>PO4 and PO14</p> <p>The proposal does not comply with Acceptable Outcome (AO) 4.1 and Performance Outcome (PO) 14(b) of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code. Both outcomes require a separate pedestrian entry to the site from any vehicular entry points and manoeuvring areas.</p>

	<p>Due to the nature of the use and interaction with heavy vehicle movements, a separate pedestrian entry visible from the street and corresponding design elements is impractical.</p> <p>Despite this, and in relation to compliance with PO4, the absence of a direct pedestrian entry that is visible from the street that provides overhangs or awnings is not considered to negatively impact on the character or streetscape of the area because:</p> <ul style="list-style-type: none"> • The proposed development is setback approximately 125 metres from the Enterprise Drive road boundary, and the visibility of any such pedestrian entrance is reduced by distance. • Providing a separate pedestrian entrance to the site presents safety concerns given the nature of the proposed development and associated vehicle movements and types. • The proposed development is temporary in nature and consequently any perceived negative impacts on the character of the streetscape or area would be limited to the duration of the activity (two years). <p>In relation to compliance with PO14, the absence of a separate pedestrian entry will not compromise the security of people or property. By the nature of the use, the site will be frequented by non-resident workers and warehouse staff, reducing the opportunity for crime.</p> <p>PO7</p> <p>The proposal does not comply with AO7.1 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code as no landscaping will be provided.</p> <p>Based on the temporary nature of the development (two (2) years) and considering the site will be returned to the pre-developed condition, a duration of two (2) years is not adequate time to establish mature landscaping over the site for its intended purpose of visual amenity.</p> <p>Therefore, while the proposed development does not comply with the Performance Outcome, it is considered to be appropriately justified and represents a low level conflict with the assessment benchmark. To the extent of any conflict, regard to relevant matters is considered to outweigh the conflict.</p> <p>PO11</p> <p>The proposal does not comply with AO11.3 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code because the proposed hours of operation are 06:30 to 18:30 Monday to Sunday, for the Warehouse use which is outside the hours prescribed by the Acceptable Outcome, being 07:00 to 19:00 Monday to Saturday when adjoining a sensitive land use not located within an industrial zone.</p> <p>Extended operational hours for the related land use (Warehouse – Pipe Laydown Area) were approved as part of Development Permit D/70-2023. To ensure consistency across the site and to facilitate the efficient progress of a significant infrastructure project, Council has replicated the same hours of operation.</p> <p>Despite this non-compliance, the impacts to adjoining dwelling houses can be mitigated, having regard to noise, dust and odour:</p> <ul style="list-style-type: none"> • A condition of approval has been imposed requiring a 1.8 metre high screen fence along the common boundary with the lots containing the sensitive land uses; • A condition of approval has been applied requiring water trucks to be kept on site to reduce dust emissions; • Nuisance monitoring conditions have been imposed requiring the development to not cause environmental nuisance and, in the instance of a complaint, undertake monitoring to mitigate any impacts;
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	<ul style="list-style-type: none"> • A condition of approval has been imposed limiting the period for increased hours of operation to two (2) years from the date the approval takes effect. <p>Further, the Applicant has directly engaged with the landowners to establish lines of communication in the event of any noise nuisance.</p> <p>On this basis the proposed development is taken to comply with Performance Outcome (PO) 11 of the zone codes.</p>
	<p>PO16</p> <p>The proposal does not comply with PO16 and overall outcome (f)(iv) of the Low Impact Industry and Medium Impact Industry zone codes because Non-Resident Workforce Accommodation is only contemplated in those zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.</p> <p>The proposed Non-Resident Workforce Accommodation on Enterprise Drive is connected to a higher order road (industrial collector), however the industrial use (Warehouse (Pipe Laydown Area)) approved over the subject site under development approval D/70-2023 and subsequent Warehouse use (Storage) proposed as part of this application are not considered to be industrial uses associated with the accommodation. While all development on the site is associated with the Fitzroy to Gladstone Water Pipeline project, the accommodation is not proposed to support the industrial activity on the site but rather a construction activity off-site.</p> <p>Despite this, the non-compliance is considered to be a low-level conflict given:</p> <ul style="list-style-type: none"> • The land use is temporary with a maximum operational duration of two (2) year from the date the development approval takes effect and therefore industry zoned land will not be permanently affected. • Conditions of approval have been imposed that seek to ensure the development does not compromise existing industrial activities in the surrounding area or prejudice future activities from occurring. • The accommodation activity is logically and practically collocated with other industry activities associated with the Fitzroy to Gladstone Water Pipeline project. <p>To the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.</p>
Landscape Code	<p>PO1</p> <p>The proposed development does not comply with AO1.1 because landscaping is not proposed or conditioned to comply with the requirements in the relevant zone codes.</p> <p>A response to the relevant provisions of the zone codes relating to landscaping is provided above.</p>
	<p>PO11</p> <p>The proposed development does not comply with AO11.1 because shade tree planting is not provided within car parking areas in accordance with the rates set out in the Acceptable Outcome.</p> <p>Despite this, the proposed development is temporary in nature and conditions of approval have been included requiring the development to cease two (2) years from the date the development approval takes effect and the site returned to the pre-developed condition. It is impractical to establish shade tree planting within this period and is unreasonable to require it given a condition of approval requires the land to be returned to the pre-developed scenario at the cessation of the use.</p> <p>Non-compliance with AO11.1 is therefore considered to be a low-level conflict</p>

	with the assessment benchmark.
<p>Strategic Framework:</p> <ul style="list-style-type: none"> • Settlement pattern; • Natural environment and hazards; • Community identity and diversity; • Access and mobility; • Infrastructure services; and • Natural resources and economic development. <p>The proposal has demonstrated the use (Non-Resident Workforce Accommodation and Warehouse) does not present any significant conflicts with the elements of the Strategic Framework. To the extent any conflicts are identified, regard to relevant matters are considered to outweigh those conflicts.</p>	
Relevant Matters	
<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> • The proposed development will accommodate the workforce associated with the construction of the 'Fitzroy to Gladstone Water Pipeline', which is an approximate \$983 million project (Gladstone Area Water Board 2022). Specifically, the project will: <ul style="list-style-type: none"> ○ Provide water security and reliability within the wider region; ○ Contribute toward the growth of the Queensland economy; ○ Create more than 400 jobs at the peak of construction; ○ Support the growth of Queensland's renewable sector; and ○ The project will be economically beneficial for the Rockhampton region throughout the duration of the project. Specifically: • The likely impacts of the development have been satisfactorily addressed such that the development will not compromise the viability of future industry uses on the subject site or existing uses within the Gracemere Industrial area. A condition of approval has been imposed restricting the life of the Non-Resident Workforce Accommodation to two (2) years from the date of the development approval taking effect. • The proposed development will help ensure current housing pressures in Rockhampton are not exacerbated by accommodating up to 136 non-resident workers in a temporary and dedicated facility, outside the already saturated rental / short-term accommodation market. • The co-location of the Non-Resident Workforce Accommodation activity with Warehouse activities associated with the same project on the same site is logical and provides natural synergies and efficiencies for the project. • The site's location is significant in providing safe access to a key transport corridor (Gracemere Industrial Access Road onto Capricorn Highway) to allow for the bulk transportation of the materials (Pipes) to facilitate the construction of the 'Fitzroy to Gladstone Water Pipeline' project. • The site's area, 11.59 hectares provides an appropriate size to house the Non-Resident Workforce Accommodation use, Warehouse Use (Pipe Laydown Area) and associated Warehouse use (Storage) to allow for a consolidation of activities for the project. 	
Matters raised in submissions	
<p>The proposal was the subject of public notification between 29 June and 19 July 2023, in accordance with the requirements of the <i>Planning Act 2016</i> and the Development Assessment Rules, and one (1) properly made submission was received.</p>	
Issue	How matter was dealt with

Inconsistent with the Low Impact Industry Zone purpose	<p>A Non-Resident Workforce Accommodation use is contemplated within the Low and Medium Impact Industry zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.</p> <p>Council acknowledges that whilst the development on Enterprise Drive is connected to a higher order road (industrial collector), the proposed industrial uses on site are not considered to be associated with the accommodation.</p>
Inconsistent with the Medium Impact Industry Zone purpose	<p>However, as outlined in the response above to the purpose of the Low and Medium Impact Industry zone codes, the development does comply on balance with the remaining outcomes of the zones purpose, and to the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.</p>
Amenity (visual impacts and dust) to surrounding sensitive land uses	<p>The submitter raised concerns with the visual impacts of the development on the surrounding sensitive land uses due to the lack of landscaping, lack of detail on screening and potential dust emissions.</p> <p>As outlined in this Statement of Reasons, formal landscaping has not been proposed as part of the development nor imposed by Council as part of the recommendations for approval. Notwithstanding this, the development has implemented measures to minimise adverse impacts on adjoining non-industrial zoned land to the south including a 1.8-metre-high solid screen along the boundary. Council has further imposed a condition to extend this screen along the western boundary to minimise the visual impacts to the existing dwelling house located to the west of the subject site.</p> <p>The development has implemented mitigation measures to ensure impacts on the adjoining sensitive land uses will be minimised. These include dust suppression over the site via the use of water trucks on all un-treated areas. All manoeuvring areas will be treated with compacted gravel to minimise airborne dust. Conditions of approval have also been included relating to dust management, nuisance monitoring and mitigation.</p>
Safety and security concerns of the accommodation activity on the surrounding sensitive land uses	<p>Security lighting will be in place for the camp and there is sufficient opportunity for casual surveillance internal to the site through design and arrangement of buildings. A 1.8 metre high screen fence will be constructed along the east, south and west boundaries with sensitive land uses and negligible risk that staff staying at the camp will pose a security risk to adjoining land.</p>
Matters prescribed by regulation	
<ul style="list-style-type: none"> • The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.2); and • The common material, being the material submitted with the application. 	

9. 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*.

Appeal by an eligible submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

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.

10. 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.

11. ORIGINAL DECISION ASSESSMENT MANAGER

Name: **Amanda O'Mara**
COORDINATOR
DEVELOPMENT ASSESSMENT

Date: 25 August 2023

12. ASSESSMENT MANAGER

Name: **Brendan Standen**
ACTING COORDINATOR
DEVELOPMENT ASSESSMENT

Signature:



Date: 13 December 2023

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.]

Attachment 2—Extract on appeal rights

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by compliance with conditions notice for any operational works required by this development approval:
- 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Stormwater Works;
 - (iii) Site Works;
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/ Issue</u>
Site Overall Plan	QCV	22 November 2023	14-1061H-WD-02-6	6

Site Plan Main Area	QCV	22 November 2023	14-1061H-WD-03-6	6
Overall Site Ground Floor	QCV	22 November 2023	14-1061H-WD-04-6	6
Ground Finish Surfaces	Premise	7 July 2023	MIS-1080 / C005	D
Waste Management Report	McDonnell Dowell Constructors and B.M.D	26 June 2023	1151	A
A-double Vehicle Swept Paths	Premise	-	-	-
Traffic Impact Assessment	Premise	8 June 2023	MIS-1080/R01	A
Hume Ceptor System Technical Manual	Humes	-	-	-

2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

2.3 The site layout as provided in the approved 'Site Over All Plan', 'Site Plan Main Area' and 'Overall Site Ground Floor' prevail over site layout in the approved 'Ground Finish Surfaces' plan to the extent of any inconsistency, except for the plant laydown area in the north-eastern corner of the site.

3.0 ROAD WORKS

3.1 A dilapidation report must be submitted with the Operational Works (Access and Parking Works) application for Enterprise Drive. This report is required to ensure that Council's road network is returned to an acceptable standard at the cessation of the use. The report must identify the standard of Enterprise Drive pre-construction in order to assess what works are required post construction (i.e., cessation of use) to return it to an acceptable standard.

3.2 A temporary road access permits for heavy vehicle must be obtained from the National Heavy Vehicle Regulator (NHVR) and Council for the use of Enterprise Drive.

4.0 ACCESS AND PARKING WORKS

4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.

4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.3 Access (access area from the end of Enterprise Drive up to the main car park) and parking (main car park) areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).

4.4 All vehicles must ingress and egress the development in a forward gear.

4.5 A minimum of 66 parking spaces must be provided on-site.

4.6 Universal access parking spaces must be provided on-site in accordance with Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities".

4.7 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual*

of uniform traffic control devices” and Australian Standard AS2890.1 “Parking facilities – Off-street car parking”.

- 4.9 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 “Manual of uniform traffic control devices”*.
- 4.10 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 “Lighting for roads and public spaces”*.
- 4.11 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.

5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018*, Council’s Plumbing and Drainage Policies, and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.2 The development must be connected to Council’s reticulated sewerage and water networks.
- 5.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 5.4 Adequate domestic and fire-fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.
- 5.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 5.6 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council’s reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1) subject to ensuring compliance and any alterations required by the *Environmental Protection Act 1992, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 6.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 6.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland that as a minimum includes:
 - 6.5.1 an assessment of the peak discharges for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event, for the pre-development and post-development scenarios;
 - 6.5.2 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
 - 6.5.3 culvert / cross drainage design details like design flow, velocity, afflux, flood and stream gradient, tailwater levels etc.
 - 6.5.4 the detail design of the diversion channel; and
 - 6.5.5 the detail design of the Sedimentation Basin at a minimum includes:
 - 6.5.5.1 design flow;

- 6.5.5.2 size of treatment;
 - 6.5.5.3 type of basin;
 - 6.5.5.4 size and dimension of basin;
 - 6.5.5.5 design inflow and outflow (low /high flow) systems;
 - 6.5.5.6 vegetation specification;
 - 6.5.5.7 maintenance access and plan;
 - 6.5.5.8 sediment disposal method;
 - 6.5.5.9 rehabilitation process for the basin area;
 - 6.5.5.10 basin's operational procedures; and
 - 6.5.5.11 the demonstration of how the flow (major and minor) characteristics from sedimentation basin will be similar to pre-development scenarios for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event.
- 6.6 The culvert / crossing drainage structure under the proposed access must have immunity (and appropriate freeboard) during a one per cent (1%) Annual Exceedance Probability defined storm event. Alternatively, overtopping of the culvert is acceptable if it complies with condition 6.7.
- Note:** Access immunity to minor storm event and trafficable at major storm event satisfying the Depth Velocity criteria is acceptable.
- 6.7 The proposed culverts / cross drainage structure must be designed and constructed considering appropriate blockage factor and allowable velocity depth product(s) to ensure safety in accordance with *Queensland Urban Drainage Manual* requirements.
- 6.8 No washing of plant equipment and vehicles is permitted on the development site unless an approved washdown bay is built to prevent contamination of land and the stormwater system.
- 6.9 The wash down bay must be drained to the approved Interceptor (refer to Condition 2.1). Contaminants within the Interceptor device must be removed and disposed of as regulated waste. Water that has passed through the treatment device may be used as dust suppression.
- 6.10 The approved Interceptor must be maintained to the manufacturer's instruction as per the approved plans and documents (refer to Condition 2.1).
- 6.11 A Manufacturers Maintenance Instruction Manual must be located on site at all times for inspection by Council officers.
- 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 7.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 7.2 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 8.0 SITE WORKS
- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
 - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 8.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.

- 8.3 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments".
- 8.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 9.0 BUILDING WORKS
- 9.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 9.2 Impervious paved waste storage areas must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:
- 9.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 9.2.2 aesthetically screened from any road frontage or adjoining property;
 - 9.2.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
 - 9.2.4 setback a minimum of two (2) metres from any road frontage or adjoining property; and
 - 9.2.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.
- Note:** As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.
- 9.3 A fence with a minimum height of 1.8 metres must be established for the full length of the common boundary of the site (Lot 51 on SP273020) with lots 10 and 11 on RP618976, Lot 2 on SP259555 and Lot 2 on RP612154.
- 10.0 ELECTRICITY
- 10.1 Underground electricity services must be provided in accordance with the standards and requirements of the relevant service provider.
- 11.0 TELECOMMUNICATIONS
- 11.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 12.0 ASSET MANAGEMENT
- 12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 12.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
- 13.0 ENVIRONMENTAL
- 13.1 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be:
- 13.1.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and
 - 13.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.
- 14.0 ENVIRONMENTAL HEALTH

- 14.1 Odour and visible contaminants, including but not limited to dust, fume, smoke, aerosols, overspray or particulates, must not be released to the environment in a manner that will or may cause environmental nuisance or harm unless such release is authorised by Council.
- 14.2 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.
- 14.3 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 14.3.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
 - 14.3.2 a broom, shovel, face shield, chemically resistant boots and gloves; and
 - 14.3.3 waste bags and ties.
- 14.4 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 14.5 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.
- 14.6 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
- 14.7 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 14.7.1 the date, quantity and type of waste removed;
 - 14.7.2 a copy of any licensed waste transport vehicle dockets;
 - 14.7.3 the name of the licensed regulated waste removalist and/or disposal operator; and
 - 14.7.4 the intended treatment and/or disposal destination of the waste.
- These records must be available for inspection by Council when requested.
- 14.8 The workshop must be undercover and have an impervious floor that is adequately sealed and bunded to prevent release of environmentally hazardous liquids to land.
- 14.9 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be either:
- 14.9.1 appropriately bunded and drained to the reticulated sewerage network in accordance with a trade waste permit; or
 - 14.9.2 appropriately bunded and drained to a holding tank for collection by a licensed contractor.
- 14.10 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise, light, odour or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 15.0 OPERATING PROCEDURES
- 15.1 Operations on the development site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 15.2 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Enterprise Drive.
- 15.3 The hours of operations for the development site must be limited to:
- (i) 0630 hours to 1830 hours on Monday to Sunday.
- with no operations on Public Holidays.

- Note:** The Non-Resident Workforce Accommodation component of the approved development is permitted to operate 24 hours, seven (7) days per week.
- 15.4 This development approval is limited to a period of two (2) years from the date the approval takes effect. The approved development (Non-resident Workforce Accommodation (136 Person) and Warehouse must cease after this period and the land rehabilitated to the pre-developed scenario.
- 15.5 Prior to cessation of the uses, a Rehabilitation and Decommission Plan must be submitted for endorsement by Council.
- 15.6 Water trucks for dust suppression must be kept on site at all times for use as required.
- 15.7 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.
- 15.8 Where un-sealed surface treatments are utilised in access, parking and vehicle manoeuvring areas, contaminants such as oils or chemicals must not be released onto the surface treatment.
- 15.9 All waste storage areas must be:
- 15.9.1 kept in a clean and tidy condition; and
 - 15.9.2 maintained in accordance with *Environmental Protection Regulation 2019*.
- 15.10 Cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
- 16.0 STAGED DEVELOPMENT
- 16.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:
- 16.1.1 Stage One – 104 rooms including all camp facilities; and
 - 16.1.2 Stage Two – remaining 32 rooms.
- in accordance with the approved plans (refer to condition 2.1).
- Stage One (1) must be completed prior to Stage Two (2).
- 16.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Building Works

A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

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)

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen Assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
2. Change applications 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.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
3. Extension applications 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.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application – a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal – the applicant	If a chosen assessment manager is the respondent – the prescribed assessment manager
4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds a) The notice involved an error relating to – (i) The application of the relevant adopted charge; or Examples of errors in applying an adopted charge – <ul style="list-style-type: none"> The incorrect application of gross floor area for a non-residential development Applying an incorrect 'use category', under a regulation, to the development <ul style="list-style-type: none"> (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			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
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.			
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	Column 4 Co-respondent by election

Table 2 Appeals to the P&E Court only			
		(if any)	(if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
3. Eligible submitter and eligible advice agency appeals 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— (a) any part of the development application or the change 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 application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
4. Compensation claims An appeal may be made against— (a) a decision under section 32 about a compensation claim; or (b) a decision under section 265 about a claim for compensation; or (c) a deemed refusal of a claim under paragraph (a) or (b).			
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	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			
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			
6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about— (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or (b) the erection of a building or other structure.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	-	-

Table 3 Appeals to the tribunal only			
1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
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
3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against a decision under— (a) the Building Act, other than a decision made by the Queensland Building and Construction Commission; or (b) the Plumbing and Drainage Act, part 4 or 5.			
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	-	-
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.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent	Column 4 Co-respondent by election

Table 3 Appeals to the tribunal only			
		(if any)	(if any)
A person who was entitled to receive, notice of the decision	The local government to which the application was made	-	-