

25 September 2023

Crab Investments No. 3 Pty Limited
C/- Vision Surveys (Qld) Pty Ltd
PO BOX 1337
ROCKHAMPTON QLD 4700

Email: andrea@vsqld.com.au

Dear Sir/Madam,

**DECISION NOTICE – EXTENSION APPLICATION – DEVELOPMENT PERMIT D/83-2017
FOR MATERIAL CHANGE OF USE FOR A CHILD CARE CENTRE LOCATED AT 1 NAGLE
DRIVE, NORMAN GARDENS – DESCRIBED AS LOT 203 ON SP316282**

Further to the Extension Application, received on 23 August 2023 for an extension to the currency period for the above Development Permit.

Council has considered the request pursuant to section 87 of the *Planning Act 2016* and has decided to give an extension of an additional four (4) years.

This approval will lapse if first change of use has not commenced by 23 August 2028. As a result of the extension an Amended Infrastructure Charges Notice has been issued.

This decision notice is given pursuant to section 87 of the *Planning Act 2016*. Appeal rights apply to the decision by Council as detailed over the page.

If you have any further queries relating to this matter, please contact the Development Advice Centre on 4936 8099.

Yours faithfully,



Amanda O'Mara

Coordinator Development Assessment
Planning and Regulatory Services

This extract is provided for information purposes only. Whilst care is taken to ensure the data is current, Council accepts no responsibility for reliance on this information where amendments to the legislation are not reflected in the information. The applicant must refer to the Act available on the Legislation Queensland website

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.

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- (2) Table 2 states the matters that may be appealed only to the P&E Court.

- (3) Table 3 states the matters that may be appealed only to the tribunal.

- (4) 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.

- (5) 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.

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Table 1

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

1. Development applications

For a development application other than a development application called in by the Minister, 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; 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.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
3. Extension applications For an extension application other than an extension application called in by the Minister, an appeal may be made against— (a) the assessment manager's decision on the extension application; or (b) a deemed refusal of the 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