

File: 16/43W
Date: 04 April 2018

Tika Superannuation Fund
PO Box 15
NARRABRI NSW 2390

Attention: Tim Logan

Dear Mr Logan

Decision Notice – change application – minor change
(Given under section 83 of the *Planning Act 2016*)
Material Change of Use
Lot 22 on SP146057, 60617 Leichhardt Highway, Goondiwindi

Goondiwindi Regional Council received your change application made under section 78 of the *Planning Act 2016* on 5 March 2018 for the developed approval dated 1 November 2017.

Decision for change application

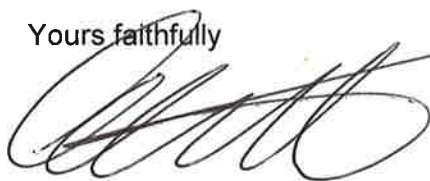
Date of decision:	04 April 2018
Decision details:	Make the changes agreed to and amend existing conditions.

The changes agreed to are:

1. Condition 3 – amended approved plan references.
2. Condition 10 – delete wash down area.

If you require any further information, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on (07) 4671 7400 or rmcmahon@grc.qld.gov.au, who will be pleased to assist.

Yours faithfully



Carl Manton
Chief Executive Officer
Goondiwindi Regional Council



Decision Notice approval

Planning Act 2016 section 63

Council File Reference: 16/43W
Council Contact: Mrs Ronnie McMahon: JMW
Council Contact Phone: (07) 4671 7400

04 April 2018

Applicant Details: Tika Superannuation Fund
PO Box 15
NARRABRI NSW 2390

Attention: Mr Logan

The development application described below was properly made to Goondiwindi Regional Council on 5 March 2018.

Applicant details

Applicant name: Tika Superannuation Fund
Applicant contact details: Tim Logan
PO Box 15, Narrabri, NSW, 2390
logantim@icloud.com
0427 369 452

Application details

Application number: 16/43W
Approval sought: Development Permit – Material Change of Use
Details of proposed development: “Commercial activities” – “Commercial premises” (Funeral home)

Location details

Street address: 60617 Leichhardt Highway, Goondiwindi
Real property description: Lot 22 on SP146057

Decision

Date of decision: 04 April 2018
Decision details: Approved in full. A copy of the amended conditions for the application are included in Attachment 1, showing the approved changes.

Details of the approval

Development permit Material Change of Use

Description of requested changes

Existing Condition 3

Requested Changes - Condition 3

The development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:

To amend the references to the approved plans to reflect the minor change proposed.

Drawing Number	Title	Date
170222.01, AMT 7	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Site Plan	03.01.17
170222.03, AMT 7	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Proposed Floor Plan	03.10.17
170222.04, AMT 7	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Elevations	03.10.17

Please note the plans are not approved Building Plans. The approved plans are included in **Attachment 2** of the decision notice.

Recommendation:

Agree to the requested change.

Existing Condition 10

Requested Changes - Condition 10

The washdown area requires an approved backflow device installed on the wash down hose, an approved silt trap, and approved disposal of wash down waste.

To remove the washdown area, and to delete the requirement to install an approved backflow device, approved silt trap, and approved disposal of wash down waste.

Recommendation:

Agree to the requested change, with the following condition.

The installation of the necessary volume of Absorption/Transpiration beds to meet the required load from the development are required to be designed and installed. Alternatively, the Advanced Secondary Treatment plans, as noted and designed with your initial planning application, can be installed.

The condition is relevant and necessary as the existing Septic System is non-compliant to any Plumbing & Drainage legislation, albeit current or past legislation requirements.

Conditions

This approval is subject to the conditions in Attachment 1. The changed conditions are highlighted for clarification in **Attachment 1**.

All conditions other than those approved to be changed from the original Minor Change Decision Notice remain relevant and enforceable.

All other parts of the original Minor Change Decision Notice not amended by this Notice remain relevant and enforceable.

Further development permits

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

1. Approval for building works under the *Building Act 1975*.

Properly made submissions

There were no properly made submissions received for this minor change application.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are attached.

Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016* OR

- This approval lapses if the first change of use does not happen within **six (6) years**.

Approved plans and specifications

Copies of the following plans are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material Change of Use				
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Site Plan	Arenkay Building Designs	20.02.18	170222.01	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Existing Floor Plan	Arenkay Building Designs	20.02.18	170222.02	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Proposed Floor Plan	Arenkay Building Designs	20.02.18	170222.03	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Elevations	Arenkay Building Designs	20.02.18	170222.04	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Slab Plan, Roof Plan & Sections	Arenkay Building Designs	20.02.18	170222.05	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Energy Efficiency & Sustainability Plan	Arenkay Building Designs	20.02.18	170222.06	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Access Details	Arenkay Building Designs	20.02.18	170222.07	AMT 12
Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Amenity Details	Arenkay Building Designs	20.02.18	170222.08	AMT 12

Attachment 4 is a Notice about decision - Statement of reasons, in accordance with section 63 (5) of the *Planning Act 2016*.

Attachment 5 includes a Rights of Appeal waiver, which, if completed, will be used to process your request to waive your appeal rights to process your approval without unnecessary delay.

Attachment 6 is an extract from the *Planning Act 2016*, which details the applicant's appeal rights regarding this decision

If you wish to discuss this matter further, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on 07 4671 7400.

Yours Sincerely

A handwritten signature in dark ink, appearing to read 'Carl Manton', with a long horizontal line extending to the right.

Carl Manton
Chief Executive Officer
Goondiwindi Regional Council

enc Attachment 1—Amended Assessment manager and concurrence agency conditions
Attachment 2—Approved plans
Attachment 3—Infrastructure Charges Notice
Attachment 4—Notice about decision – Statement of Reasons
Attachment 5—Rights of Appeal waiver
Attachment 6—Planning Act extracts



ATTACHMENTS

Attachment 1 – Amended Assessment Manager’s Conditions

Part 1 – Amended Assessment Manager’s Conditions

*Part 2 – Department of Infrastructure, Local Government and Planning –
Concurrence Agency Response*

Attachment 2 – Approved Plans

Attachment 3 – Infrastructure Charges Notice

Attachment 4 – Notice about decision - Statement of reasons

Attachment 5 – Rights of Appeal waiver

Attachment 6 – *Planning Act 2016* Extracts

Planning Act 2016 appeal provisions

Planning Act 2016 lapse dates



**Attachment 1 – Amended Assessment Manager's
Conditions**



Assessment Manager's Conditions

Proposed Use:	"Commercial activities" • "Commercial premises" (Funeral home)
Development:	Material Change of Use – Development Permit
Applicant:	Alpha Planning Applications for Logan Funerals
Address:	60617 Leichhardt Highway, Goondiwindi
Real Property Description:	Lot 22 on SP146057
Council File Reference:	16/43W

GENERAL CONDITIONS																									
1.	Approval is granted for the purpose of a Material Change of Use for: <ul style="list-style-type: none">“Commercial activities”“Commercial premises” (Funeral home) as defined in the 2006 Planning Scheme for the former Waggamba Shire Council.																								
2.	All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.																								
3.	The development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans: <table><tr><th>Drawing Number</th><th>Title</th><th>Date</th></tr><tr><td>170222.01, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Site Plan</td><td>20.02.18</td></tr><tr><td>170222.02, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Existing Floor Plan</td><td>20.02.18</td></tr><tr><td>170222.03, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Proposed Floor Plan</td><td>20.02.18</td></tr><tr><td>170222.04, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Elevations</td><td>20.02.18</td></tr><tr><td>170222.05, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Slab Plan, Roof Plan & Sections</td><td>20.02.18</td></tr><tr><td>170222.06, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Energy Efficiency & Sustainability Plan</td><td>20.02.18</td></tr><tr><td>170222.07, AMT 12</td><td>Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Access Details</td><td>20.02.18</td></tr></table>	Drawing Number	Title	Date	170222.01, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Site Plan	20.02.18	170222.02, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Existing Floor Plan	20.02.18	170222.03, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Proposed Floor Plan	20.02.18	170222.04, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Elevations	20.02.18	170222.05, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Slab Plan, Roof Plan & Sections	20.02.18	170222.06, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Energy Efficiency & Sustainability Plan	20.02.18	170222.07, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Access Details	20.02.18
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	170222.08, AMT 12	Proposed Funeral Home 60617 Leichhardt Highway, Goondiwindi Amenity Details	20.02.18
	Please note the plans are not approved Building Plans. The approved plans are included in Attachment 2 of the decision notice.		
4.	<p>Complete and maintain the approved development as follows:</p> <ul style="list-style-type: none"> (i) Generally in accordance with development approval documents; and (ii) Strictly in accordance with those parts of the approved development which have been specified in detail by the Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications. <p>All development shall comply with any relevant provisions in the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, Council's standard designs for applicable work and any relevant Australian Standard that applies to that type of work.</p> <p>The development approval documents are the material contained in the development application, approved plan(s) and supporting documentation including any written and electronic correspondence between applicant, Council or any relevant Agencies during all stages of the development application assessment processes.</p>		
5.	Access to and within the building, and parking, are to be compliant with the provisions of the Disability (Access to Premises – Buildings) Standards 2010, National Construction Code 2016, AS1428.21992 and AS2890.1.		
6.	<p>Prior to the building being occupied, an application is to be lodged with a Licensed Building Certifier to re-classify the building to recognise the approved use.</p> <p>AND</p> <p>Prior to any structural building work being undertaken at the premises for any alterations to internal amenities or skillion over the mortuary refrigeration unit, a building approval is to be obtained from a Licensed Building Certifier.</p>		
	OPERATION OF THE USE		
7.	The proposed use shall be operated generally between the hours of 7:00am and 5:00pm, Monday to Friday.		
8.	Loading and unloading shall occur generally between the hours of 7:00am and 5:00pm, Monday to Friday.		

	ESSENTIAL SERVICES
9.	At all times while the use continues, connection to Council's reticulated water supply system shall be retained to the subject site, in accordance with Schedule 1, Division 3: Standards for Water Supply, of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> , at no cost to Council.
10.	<p>The washdown area requires an approved backflow device installed on the wash down hose, an approved silt trap, and approved disposal of wash down waste.</p> <p>Provided that:</p> <p>The existing Septic System is non-compliant to any Plumbing & Drainage legislation, albeit current or past legislation requirements. The installation of the necessary volume of Absorption/Transpiration beds to meet the required load from the development are required to be designed and installed. Alternatively, the Advanced Secondary Treatment plans, as noted and designed with your initial planning application, can be installed.</p>
	PUBLIC UTILITIES
11.	Connection to an adequate electricity supply shall be retained to the lot, at no cost to Council.
12.	Details of ancillary power supply for the mortuary refrigeration unit is to be provided to Council prior to installation of the unit.
13.	The developer is responsible for ensuring Queensland Fire Services requirements are met with respect to this development.
	ROADS AND VEHICLES
14.	<p>All areas, from the main entrance, where vehicles manoeuvre and park shall be constructed to a sealed standard in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, to the satisfaction of and at no cost to Council.</p> <p>Vehicle manoeuvring areas shall be provided on-site so that all vehicles can enter and leave the site in a forward direction.</p> <p>Car parking and manoeuvring areas shall be either constructed or bonded prior to the commencement of the use.</p>
15.	Ten (10) sealed and delineated car parking spaces shall be supplied on-site in accordance with the approved Drawing No. 216105-1.

	<p>Car parking areas shall be either constructed or bonded prior to the commencement of the use.</p> <p>The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>									
	LANDSCAPING									
16.	<p>Landscaping shall be provided in accordance with Schedule 3 – Landscaping Requirements of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, with a minimum of:</p> <ul style="list-style-type: none">• “Privacy screening landscaping”, 1.5m wide, for a distance of 97m along the site's northern boundary from where the existing landscaping finishes to the site's eastern boundary, in accordance with Schedule 3, Section 3.5 of the Scheme; and• The existing landscaping along the site's Glasser Street frontage and Leichhardt highway frontage, and the exiting landscaping along the site's northern boundary, shall be maintained. <p>All landscaping and tree plantings are to be planted and maintained to the satisfaction of a qualified Council Officer. A bond for the amount of \$3,492 is to be submitted prior to the commencement of the use for the maintenance of landscaping.</p> <p>The bond holding time starts from the acceptance of works. Council must be contacted by the applicant to request an inspection of the landscaping as soon as possible after completion of planting and payment of bond.</p> <p>If the landscaping complies with Schedule 3 – Landscaping Requirements of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, the applicant will be advised in writing that the bond is accepted.</p> <p>The bond shall be returned in accordance with the following schedule if the landscaping meets the criteria:</p> <table><tr><th>Time from acceptance of landscaping works</th><th>Criteria</th><th>Bond Refund / Reduction</th></tr><tr><td>9 months – From acceptance of works</td><td>Landscaping conforms to requirements, is established and maintained. Adequate provision for on-going watering and growth. Any/all replacement plants provided.</td><td>50%</td></tr><tr><td>18 months – From acceptance of works</td><td>Landscaping is well established (as a guide >50% full growth depending on species). All replacement plants are established. The landscaping intent is being achieved.</td><td>25%</td></tr></table>	Time from acceptance of landscaping works	Criteria	Bond Refund / Reduction	9 months – From acceptance of works	Landscaping conforms to requirements, is established and maintained. Adequate provision for on-going watering and growth. Any/all replacement plants provided.	50%	18 months – From acceptance of works	Landscaping is well established (as a guide >50% full growth depending on species). All replacement plants are established. The landscaping intent is being achieved.	25%
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18 months – From acceptance of works	Landscaping is well established (as a guide >50% full growth depending on species). All replacement plants are established. The landscaping intent is being achieved.	25%								

	<div> <div>24 months – From acceptance of works</div> <div>Landscaping is fully established, or within 80% depending on species.</div> <div>25%</div> </div> <p>After the required bond holding time has passed, a refund of bond monies will only be considered upon a written request from the person who paid the bond once the required bond holding time has been completed.</p> <p>A qualified Council Officer may inspect landscaping plantings to ensure compliance with this condition and acceptance of the works.</p> <p>Council will hold the funds in trust for a maximum of three years, at which time should work not be carried out and maintained to Council's satisfaction, the bond will be used by Council to have the works performed unless an extension of time is requested by the land owner or applicant and approved by Council.</p> <p>To clarify, bonds can only be refunded upon a written request from the person who paid the bond upon the works being satisfactorily maintained for the required bond holding time.</p>
	STORMWATER
17.	<p>Prior to the commencement of the use, the site shall be adequately drained and the discharge of all stormwater disposed of to a legal discharge point in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, to the satisfaction of and at no cost to Council.</p> <p>Any increases in volume, concentration or velocity of stormwater from the site shall be channelled to lawful points of discharge or to other storage or dispersal arrangements which all must be agreed to in writing by Council.</p> <p>There shall be no change in direction or increase in the volume, concentration or velocity in any overland flow from the site to any adjoining properties unless agreed in writing by Council and the owners of any adjoining properties affected by these changes.</p> <p>The stormwater disposal system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of waterways.</p>
18.	<p>Stormwater shall not be allowed to pond on the site during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by Council.</p> <p>No ponding, concentration or redirection of stormwater shall occur on adjoining properties unless specifically agreed to in writing by Council and the owners of any adjoining properties affected by these changes.</p>
	EARTHWORKS AND EROSION CONTROL
19.	<p>All works associated with the development must be carried out in a manner that minimises erosion and controls sediment. Best practice erosion and sediment control measures shall be in place at the location of all works prior to work commencing and remain until work is</p>

	<p>completed in accordance with Schedule 1, Division 1: Standards for Construction Activities of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> to the satisfaction of and at no cost to Council.</p> <p>Control procedures are to be established to ensure sediment from the site is not deposited off site. The developer shall ensure no increase in any silt loads or contaminants in overland flow from the site during the development process and after development has been completed.</p>
	AVOIDING NUISANCE
20.	<p>At all times while the use continues, provision must be made on site for the collection of general refuse in covered waste containers with a capacity sufficient for the use.</p> <p>Waste receptacles shall be placed in a screened area. The site must maintain a general tidy appearance.</p>
21.	<p>General waste to be disposed of through the normal weekly kerbside garbage service. Any medical type waste associated with body prepping is to be disposed of through a registered medical service provider.</p>
22.	<p>At all times while the use continues, the development shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards under that Act. All necessary licences under the Act shall be obtained and shall be maintained at all times while the use continues.</p>
23.	<p>At all times while the use continues, lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.</p> <p>All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties, motorists or the operational safety of the surrounding road network.</p>
24.	<p>At all times while the use continues it shall be operated in such a manner as to ensure that no nuisance shall arise to adjoining premises as a result of dust, noise, lighting, odour, vibration, rubbish, contaminants, stormwater discharge or siltation or any other potentially detrimental impact.</p>
25.	<p>The operator shall be responsible for mitigating any complaints arising from on-site operations.</p>
26.	<p>Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises. Construction work on the site is to be restricted to the following times in relation to audible noise:</p> <p>(a) No noise at any time on a Sunday or Public Holiday; or</p>

	<p>(b) Before 6:30am or after 6:30pm on a Saturday or a business day.</p> <p>During construction the site must be kept in a clean and tidy state at all times.</p>
	DEVELOPER'S RESPONSIBILITIES
27.	Any alteration or damage to roads and/or public infrastructure that is attributable to the progress of works or associated with the use of the site shall be repaired to Council's satisfaction or the cost of repairs paid to Council.
28.	It is the developer's responsibility to ensure that any contractors and subcontractors have current, relevant and appropriate qualifications and insurances in place to carry out the works.
29.	The developer shall be responsible for meeting all costs reasonably associated with the approved development, unless there is specific agreement by other parties, including the Council, to meeting those costs.
30.	At all times while the use continues, all requirements of the conditions of the development approval must be maintained.
	CHARGES PAID BEFORE USE COMMENCES
31.	All outstanding rates and charges shall be paid to Council prior to the commencement of the use.
	COMMENCEMENT OF USE
32.	<p>Council must be notified in writing of the date of the commencement of the use within 14 days of commencement.</p> <p>This approval will lapse if the use has not commenced within four years of the date the development approval takes effect, in accordance with the provisions contained in sections 341 & 342 of the <i>Sustainable Planning Act 2009</i>.</p> <p>Section 383 of the <i>Sustainable Planning Act 2009</i> sets out how an extension to the period of approval can be requested.</p>
33.	<p>At its discretion, Council may accept bonds or other securities to ensure completion of specified development approval conditions or Council may accept cash payments for Council to undertake the necessary work to ensure completion of specified development approval conditions.</p> <p>It may be necessary for Council to use such bonds for the completion of outstanding works without a specific timeframe agreed.</p>

34.	A letter outlining and demonstrating that conditions have been, or how they will be, complied with shall be submitted to Council prior to commencement of the use. Council Officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.
	PLEASE READ CAREFULLY - NOTES AND ADVICE
	<p><i>When approval takes effect</i></p> <p>This approval takes effect in accordance with section 339 of the <i>Sustainable Planning Act 2009</i>.</p> <p><i>When approval lapses</i></p> <p>This approval will lapse if the use has not commenced within four (4) years of the date the development approval takes effect.</p> <p>Section 383 of the <i>Sustainable Planning Act 2009</i> sets out how an extension to the period of approval can be requested.</p>
	Infrastructure charges as outlined in the Infrastructure Charges Notice included in Attachment 3 of the decision notice shall be paid prior to the commencement of the use.
	It is the applicant's responsibility to obtain all statutory approvals prior to commencement of any works onsite.
	This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> . Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> , 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").
	This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i> .
	The approved development does not authorise any deviation from the applicable Australian Standards nor from the application of any laws, including laws covering work place health and safety.



Attachment 1 – Amended Assessment Manager’s Conditions

Part 2 – Department of Infrastructure, Local Government and Planning – Concurrence Agency Response



Our reference: SDA-1216-035583

Your reference:

9 December 2016

Chief Executive Officer
Goondiwindi Regional Council
LMB 7
INGEWOOD QLD 4387

Attn: Miss Lauren McVicar

Dear Lauren

Concurrence Agency Response—with Conditions—Development Permit—Material Change of Use—"Commercial premises" (funeral home)

60617 Leichhardt Highway, Goondiwindi QLD 4390

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning (DILGP) under section 272 of the *Sustainable Planning Act 2009* on 7 December 2016.

Applicant details

Applicant name:	Logan Funerals
Applicant contact details:	PO BOX 15 NARRABRI NSW 2390

Site details

Street address:	60617 Leichhardt Highway, Goondiwindi QLD 4390
Real property description:	Lot 22 on SP146057
Local government area:	Goondiwindi Regional Council

Application details

Proposed development:	Development Permit—Material Change of Use—"Commercial premises" (funeral home)
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Referral triggers

The development application was referred to DILGP under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger	Schedule 7, Table 2, Item 1—State Controlled Road- Making a material change of use of premises, other than an excluded material change of use, if any part of the land—(a) is within 25m of a State-controlled road; or (b) is future State-controlled road; or (c) abuts a road that intersects with a State-controlled road within 100m of the land.
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No requirements

DILGP advises the assessment manager, under section 287(2)(a) of the *Sustainable Planning Act 2009*, that it has no requirements relating to the application.

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

If you require any further information, please contact Maria Johnson, Planning Officer, on 4616 7307, or via email maria.johnson@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Andrew Foley
Manager (Planning)

cc: Logan Funerals, logank@bigpond.net.au

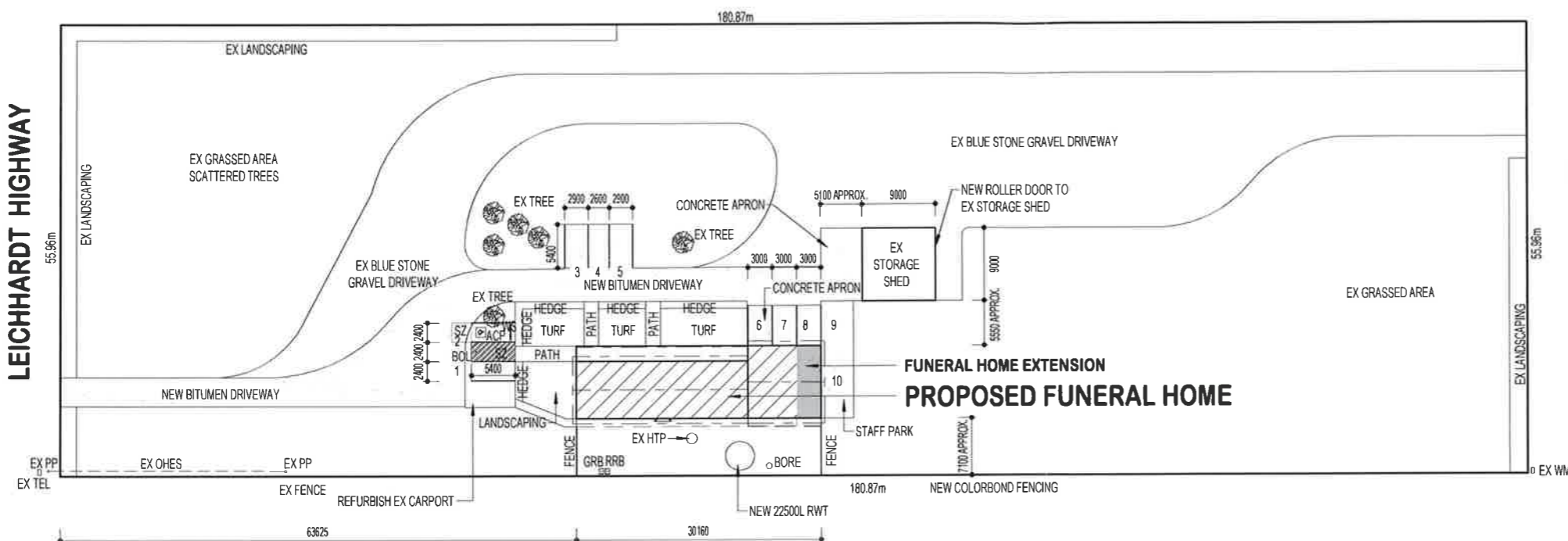


Attachment 2 – Approved Plans



LEICHHARDT HIGHWAY

GLASSER STREET



REAL PROPERTY DESCRIPTION:
 - LOCAL GOVERNMENT - GOONDIWINDI REGIONAL COUNCIL
 - LOT 22 ON SP 146057
 - SITE AREA - 10120m²

PLANNING DESCRIPTION:
 - ZONE: MIXED USE
 - PRECINCT: NIL
 - LOCAL PLAN: NIL
 - OVERLAYS:

- CURRENT LAND USE: RESIDENCE
 - PROPOSED LAND USE: FUNERAL HOME

GROSS FLOOR AREAS*	EXISTING	PROPOSED
FUNERAL HOME	150.2 m ²	
FUNERAL HOME		80.7 m ²
TOTAL EX+PROPOSED:		230.9 m²

FLOOR AREAS ADDITIONAL TO GFA	EXISTING
PORCH	39.5 m ²
STORAGE SHED	81.0 m ²
TOTAL:	120.5 m²

BUILDING & LANDSCAPING SITE COVERAGE
 - BUILDING COVERAGE: 3.5% (351.4 m²)
 - LANDSCAPING/OPEN SPACE COVERAGE: 89.5% (9057.3 m²)
 - SEALED PAVEMENT COVERAGE: 7.0% (711.3 m²)

BUILDING HEIGHT
 - HEIGHT: 4.8 m AFL

NOTES
 * GROSS FLOOR AREA AS DEFINED IN PLANNING SCHEME DEFINITIONS

- SURVEY INFORMATION TO BE CONFIRMED BY LICENSED SURVEYOR PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS AND DESIGN INFORMATION TO BE CONFIRMED ON SITE.
- EXTENT OF SITE EARTHWORKS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
- LOCATION OF EXISTING BUILDING TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
- ALL EXISTING SERVICES TO BE LOCATED ON SITE PRIOR TO CONSTRUCTION.
- ROOF AND SURFACE STORMWATER IS TO DISCHARGE DETAIL BY ENGINEER.
- ONSITE SEWERAGE SYSTEM TO DESIGN BY OTHERS.
- A CONTINUOUS PATH OF TRAVEL FOR PERSONS WITH A DISABILITY TO BE PROVIDED FROM THE DESIGNATED CARPARK TO THE BUILDING IN ACCORDANCE WITH PART D3 OF BCA AND AS 1428.1.

EX	EXISTING
RWT	ABOVE GROUND RAINWATER TANK
HTP	HOUSE TREATMENT PLANT
GRB	GENERAL REFUSE BIN
RRB	RECYCLABLES REFUSE BIN
WM	WATER METER
PP	POWER POLE
TEL	TELECOMMUNICATION PIT
BOL	BOLLARD
SZ	SHARED ZONE
ACP	ACCESSIBLE CARPARK

GOONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice

Council Reference: 16/43W

Dated: 4/4/18

Signed:

Print Name: Carl Mantel
 (Under Delegation) ASSESSMENT MANAGER

1 site plan
 1 : 500

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Master Builders

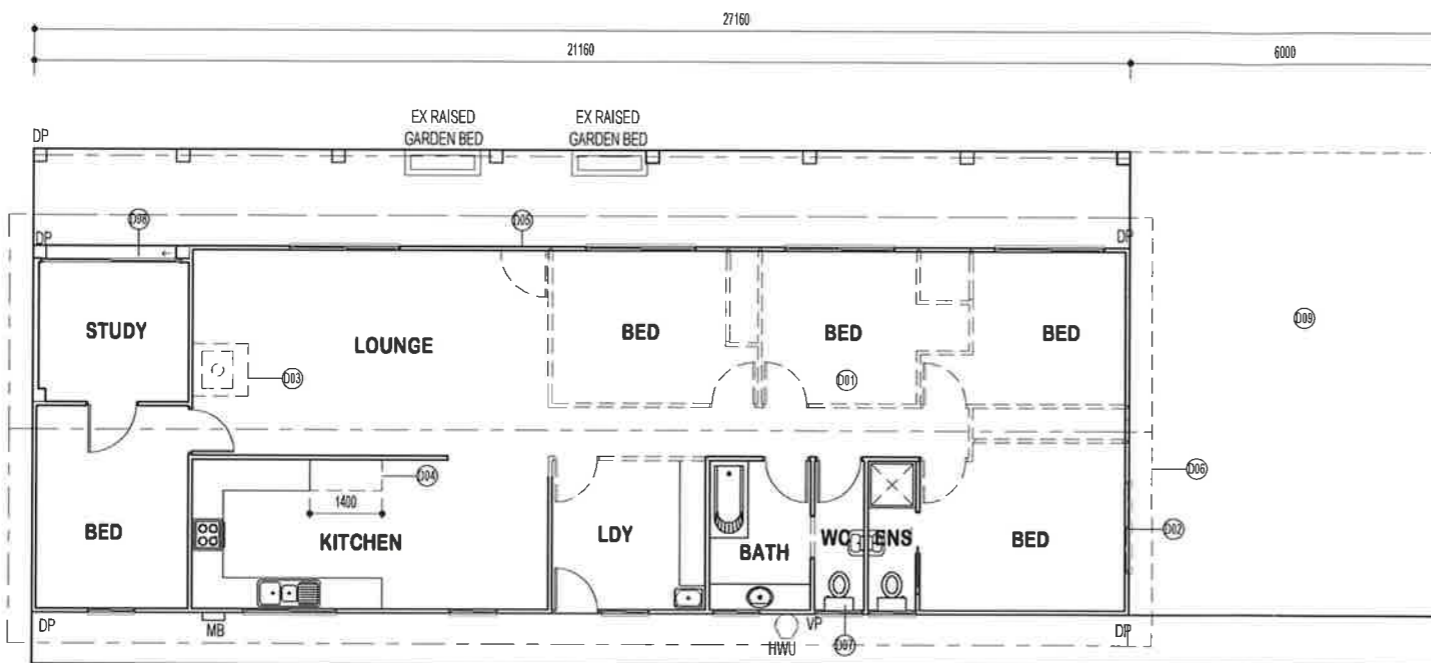
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 Autodesk Revit Building

A. COOPER
 RIL
 QBCC Lic. No. 80250
 N2

No.	Date	Description	Author
1	26.02.16	AC	REVISED FINAL ISSUE
2	15.12.17	AC	REVISED FINAL ISSUE (REVISED WC LAYOUT)
3	18.12.17	AC	REVISED FINAL ISSUE (CORRIDOR WALL PARKING LAYOUT)
4	05.12.17	AC	REVISED FINAL ISSUE (IMPROVED LIFT)
5	21.11.17	AC	REVISED FINAL ISSUE (CORRIDOR & DRIVEWAY)
6	03.10.17	AC	REVISED FINAL ISSUE
7	27.08.17	AC	FINAL ISSUE
8	19.09.17	AC	FINAL ISSUE FOR CONSTRUCTION
9	04.01.17	AC	FINAL ISSUE

LOGAN FUNERALS
 PROPOSED FUNERAL HOME
 60617 LEICHHARDT HIGHWAY, GOONDIWINDI
 site plan

As indicated 170222.01 8 12 A2



WORKS SCHEDULE GENERAL

GD01	MAKE GOOD ALL DEMOLITION WORK AND/OR PREPARE EXISTING FOR NEW WORK
GD02	SAVE DEMOLISHED MATERIALS FOR REUSE/REPAIRS WHERE REQUIRED
GD03	MATCH EXISTING WHERE REQUIRED
GD04	DISCONNECT SERVICES TO ALL REMOVED FITTING AND FIXTURES - TERMINATE AND/OR REMOVE SERVICES AS REQUIRED
GD05	MAKE TEMPORARY SERVICE CONNECTIONS AS REQUIRED
GD06	CONTRACTOR TO DISPOSE OF ALL DEMOLISHED MATERIALS UNLESS ADVISED OTHERWISE
GD07	PROTECT EXISTING ELEMENTS DURING CONSTRUCTION. ANY DAMAGE IS TO BE REPAIRED/REPLACED AT THE CONTRACTORS EXPENSE

WORKS SCHEDULE

D01	DEMOLISH WALLS AS INDICATED
D02	REMOVE WINDOW AND CUT IN NEW DOORWAY
D03	REMOVE COMBUSTION HEATER
D04	DEMOLISH KITCHEN CABINETRY AS INDICATED
D05	REMOVE DOOR. PREPARE FOR NEW DOOR
D06	REMOVE OVERHANG
D07	REMOVE EXISTING TOILET SUITE. PREPARE FOR NEW TOILET SUITE
D08	SILL AND HARDWARE TO BE COMPLIANT WITH AS 1428.1
D09	DEMOLISH EXISTING SLAB. PREPARE FOR NEW SLAB

GENERAL NOTES

- EXISTING BUILDING LAYOUTS, DIMENSIONS AND SERVICES TO BE CONFIRMED ON SITE BY THE BUILDER. BUILDER TO CONFIRM TOTAL EXTENT OF EXISTING SITE CONDITIONS AND EXTENT OF DEMOLITION/TERMINATION OF BUILDINGS, SERVICES, EXTERNAL IMPROVEMENTS AND LANDSCAPING
- BUILDER TO TAKE ALL NECESSARY MEASURES TO ADEQUATELY SUPPORT EXISTING BUILDING ELEMENTS AFFECTED BY THE DEMOLITION AND/OR THE EXTENSION UNTIL COMPLETION OF THE BUILDING WORK.
- ANY TERMINATED SERVICES TO BE FULLY DISCONNECTED AND REMOVED. BUILDER TO OBTAIN ALL NECESSARY APPROVALS FROM REGULATORY BODIES TO PERFORM THE WORK
- SITE IS TO BE LEFT IN A CLEAN AND TIDY STATE AT COMPLETION OF THE CONTRACT
- ANY DEMOLITION/REMOVAL OF BUILDINGS ELEMENTS AND STRUCTURES TO BE UNDERTAKEN BY A LICENSED CONTRACTOR AND IN ACCORDANCE WITH AS 2601, WORKPLACE HEALTH AND SAFETY ACT 1997, WORKPLACE AND SAFETY REGULATION 1997 AND ANY APPLICABLE CODE OF PRACTICE. THE BUILDER IS RESPONSIBLE FOR THE CORRECT DISPOSAL OF ALL WASTE
- BUILDER IS TO VIEW ASBESTOS CONTAINING MATERIAL REGISTER (AVAILABLE FROM QUEENSLAND HEALTH) AND UNDERTAKE/ARRANGE FOR AN AUDIT OF THE EXISTING BUILDING FOR ANY OTHER HAZARDOUS MATERIALS. ANY DEMOLITION/REMOVAL AND DISPOSAL OF HAZARDOUS/ASBESTOS MATERIAL TO BE UNDERTAKEN BY A LICENSED CONTRACTOR AND IN ACCORDANCE WITH APPLICABLE CODES OF PRACTICE AND LEGISLATION.

MARK	DESCRIPTION
EX	EXISTING
DP	DOWNPIPE
VP	VENT PIPE
HWU	HOT WATER UNIT
MB	METER BOX

GOONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Council Reference: 16/436
 Dated: 4/4/18
 Signed: *Carl Manton*
 Print Name: Carl Manton
 (Under Delegation) ASSESSMENT MANAGER

1 existing floor plan
 1 : 100

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GreenSmart
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Master Builders
 Autodesk Revit Building

A. COOPER
 PROJECT NO. RIL
 QBCC Lic. No. 80250
 N2

12	20.02.18	AC	REVISED FINAL ISSUE
11	15.12.17	AC	REVISED FINAL ISSUE (REVISED WALL LAYOUT)
10	06.12.17	AC	REVISED FINAL ISSUE (REVISED WALL LAYOUT)
9	06.12.17	AC	REVISED FINAL ISSUE (UNIMPROVED LIFT)
8	21.11.17	AC	REVISED FINAL ISSUE (SCAFFOLDING & GREYWAY)
7	03.10.17	AC	REVISED FINAL ISSUE
6	27.08.17	AC	FINAL ISSUE
5	19.09.17	LOU	ISSUE FOR CONSTRUCTION
4	04.09.17	AC	FINAL ISSUE

LOGAN FUNERALS
 PROJECT NO. 60817
PROPOSED FUNERAL HOME
 60817 LEICHHARDT HIGHWAY, GOONDIWINDI
 existing floor plan
 SCALE 1 : 100
 DRAWING NO. 170222.02
 SHEET 6 OF 12
 A2

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MARK	DESCRIPTION	NOTES
EX	EXISTING	
S	SLIDING GLASS WINDOW TO DIMENSION SHOWN	
D	DOOR TO DIMENSION SHOWN	
SD	SLIDING DOOR TO DIMENSION SHOWN	
SGD	SLIDING GLASS DOOR TO DIMENSION SHOWN	
CSD	CAVITY SLIDING DOOR TO DIMENSION SHOWN	
BR1	BRAILLE SIGNAGE	IDENTIFICATION
BR2	BRAILLE SIGNAGE	WAYFINDING
BR3	BRAILLE SIGNAGE	EXIT
WC1	TOILET SUITE	STANDARD
WC2	TOILET SUITE	DISABILITY COMPLIANT
WC3	TOILET SUITE	AMBULANT COMPLIANT
BN	BASIN	DISABILITY COMPLIANT
COC	CERTIFICATE OF CLASSIFICATION	
EXIT	EXIT SIGNAGE	
	EMERGENCY LUMINAIRE	- LED RECESSED D25 CLASSIFICATION
HC	HOSE COCK	
DP	DOWN PIPE	

HR	HANDRAIL
HR&KR	HANDRAIL AND KERB RAIL
ABUTMENT & GAPPING OF SURFACES IN A CONTINUOUS PATH OF TRAVEL NOT TO EXCEED LIMITS OF SECT 7 AS 1428.1	

FIRE HAZARD PROPERTIES - C.10 BCA				
<u>FLOOR COVERINGS</u>		<u>CRF</u>	<u>MSDR</u>	
CONCRETE		NA	NA	
CERAMIC TILES	NA	NA		
<u>WALL & CEILING LININGS</u>		<u>MG</u>		
PLASTERBOARD		1		
FIBRE CEMENT		1		
CERAMIC TILES	NA			
<u>OTHER MATERIALS</u>		<u>FI</u>	<u>SOFI</u>	<u>SDI</u>
CONCRETE		0	0	0
STEEL	0	0	0	
TIMBER - SOFTWOOD		15	7	3
TIMBER - HARDWOOD		13	3	3
FIBRE CEMENT	0	0	1	
ALUMINIUM		0	0	0
GLASS	0	0	0	
WALL GLASSWOOL INSULATION		0	0	0
CEILING GLASSWOOL INSULATION	0			1
WALL REFLECTIVE FOIL	1	1	1	
ROOF REFLECTIVE FOIL	1	0	1	


BCA DESIGN SUMMARY					
BUILDING USE	CLASSIFICATION	F/A M²	VOL M³		
PREMISES EXISTING	1	150	405		
PREMISES PROPOSED	6	81	219		
TOTAL BUILDING FLOOR AREA & VOL		231	624		
RISE IN STOREY = 1 BUILDING HEIGHT = AS EXISTING					
No OF STOREIES = 1 LARGE ISOLATED BLD = NO					
CONSTRUCTION TYPE = EXISTING TYPE C					
MIN NUMBER OF EXITS = 2					
MAX TRAVEL DISTANCE = 15.0 m					
REQUIRED EXIT WIDTH = 1000					
FACILITIES REQUIRED/PROVIDED - CLASS 6					
	OCC No	URINAL	WC	BASIN	UATF
MALE	10		1/3	1/3	1*
FEMALE	10		1/3	1/3	1*
UATF FACILITY COUNTED ONCE FOR BOTH MALE & FEMALE					

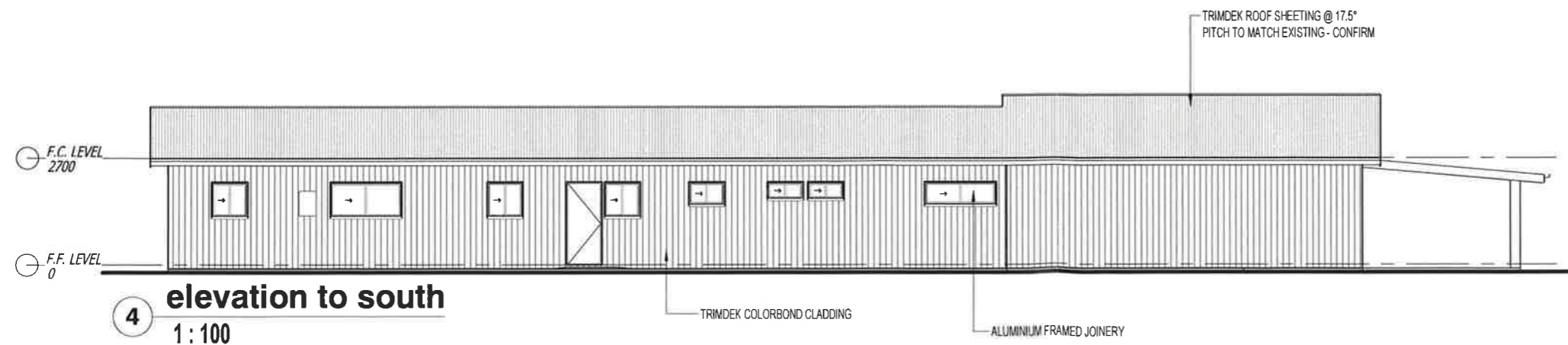
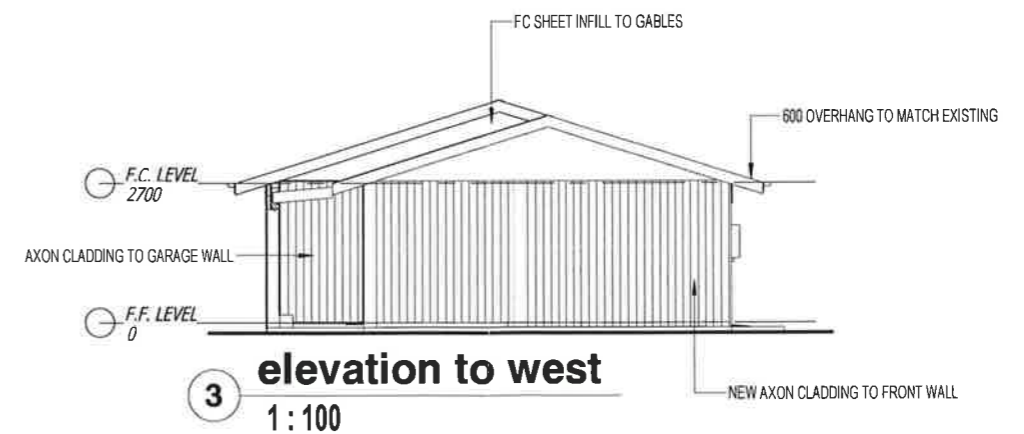
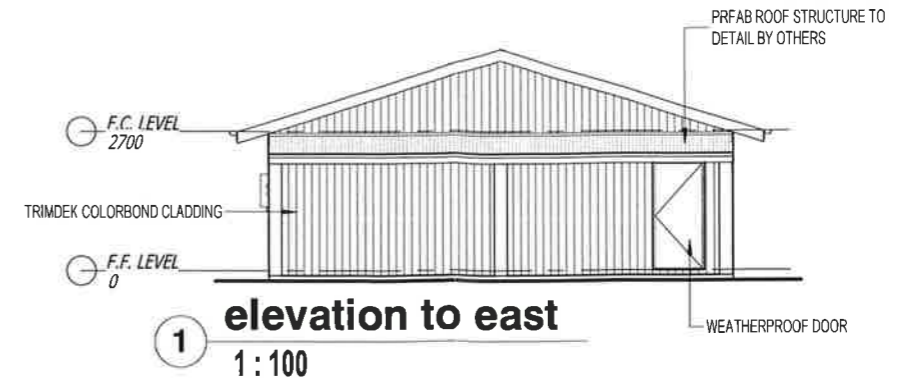
- CONTINUOUS ACCESSIBLE PATH OF TRAVEL TO BE PROVIDED FROM THE BUILDING ENTRANCE TO AND WITHIN THE AFFECTED PART OF THE BUILDING IN ACCORDANCE WITH PART D3 OF BCA AND AS 1428.1.
- ALL NEW GLAZING TO BE INSTALLED IN ACCORDANCE WITH PART B1.4 OF BCA.
- NEW REQUIRED EXIT DOOR TO BE FITTED WITH PANIC BAR HARDWARE (UNLESS NOTED OTHERWISE) THAT COMPLIES WITH PART D2.21 OF BCA AND AS 1428.1. ALL OTHER DOORS TO BE FITTED WITH LEVER STYLE HARDWARE AND COMPLY WITH AS 1428.1 FOR ACCESSIBILITY.
- BRAILLE SIGNAGE TO BE PROVIDED AS SHOWN ON DRAWINGS IN ACCORDANCE WITH D3.6 OF THE BCA.

TF TOILET FACILITIES
UATF UNISEX ACCESSIBLE TOILET FACILITIES
UAATF UNISEX AMBULANT TOILET FACILITIES

— EXISTING WALL
— NEW WALL

<p>CONCESSIONAL APPROVAL UNDER SECT 112 OF BUILDING ACT IS APPLIED FOR</p> <p>1) BCA PART B1 - EXISTING STRUCTURAL PROVISIONS</p> <p>2) BCA PART B1 - EXISTING GLAZED ELEMENTS</p> <p>3) BCA PART B1 - EXISTING TERMITE MANAGEMENT</p> <p>4) BCA PART F1.1 - EXISTING STORMWATER DRAINAGE</p> <p>5) BCA PART J - ENERGY EFFICIENCY</p> <p>BASIS FOR CONCESSIONAL APPROVAL</p> <p>- THE EXISTING BUILDING IS STRUCTURALLY SOUND AND CAPABLE OF WITH STANDING THE NEW LOADINGS - REFER TO ENGINEER'S REPORT</p> <p>- EMERGENCY EGRESS FROM THE BUILDING WILL COMPLY WITH PART D1 & 2 OF THE BCA</p> <p>- EMERGENCY LIGHTING AND EXIT SIGNAGE WILL COMPLY WITH PART E4 OF THE BCA</p> <p>- ACCESS FOR PERSONS WITH A DISABILITY WILL COMPLY WITH THE PREMISES STANDARD</p> <p>- ENERGY EFFICIENCY PROVISIONS WILL COMPLY TO PART J OF THE BCA WHERE ACHIEVABLE</p>

GOVONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Council Reference: 16/14362
 Dated: 4/11/18
 Signed: 
 Print Name: Carl Manton
 (Under Delegation) ASSESSMENT TEAM CHIEF



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice

Council Reference: 16/43W

Dated: 4/4/18

Signed: *Carl Manton*

Print Name: Carl Manton
(Under Delegation) ASSESSMENT MANAGER

NOTES:
F.F.L. DENOTES FINISHED FLOOR LEVEL
F.C.L. DENOTES FINISHED CEILING LEVEL

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ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE BUILDING CODES AND A BUILDING CODE OF AUSTRALIA.
Scale: 1:100
Date: 04/04/2018

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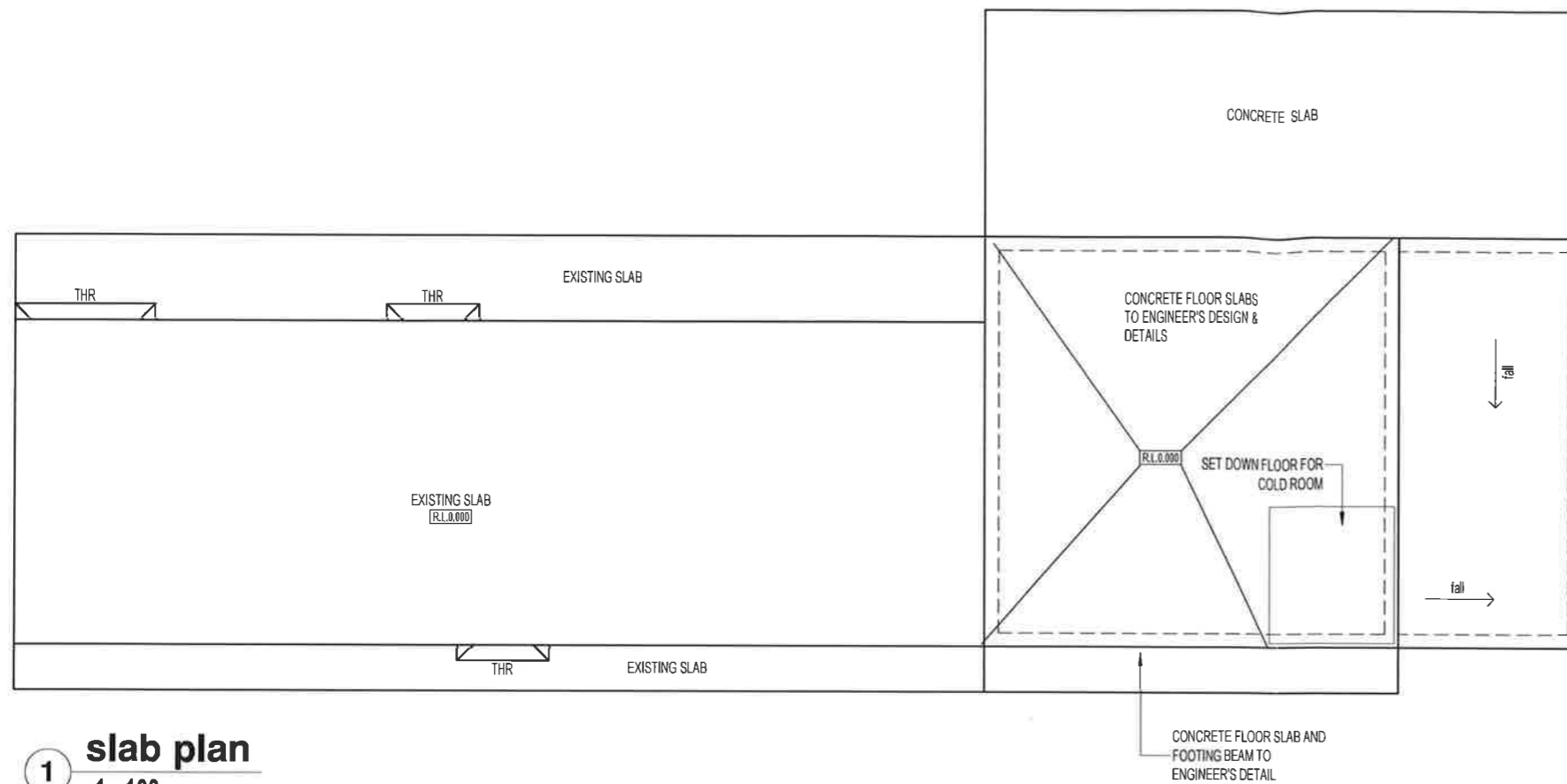
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GreenSmart
ACCREDITED DESIGNER
Autodesk Revit Building

DESIGNER
A. COOPER
PROJECT
RIL
QBCC Lic. No. 80250
N2

NO.	DATE	REVISION	DESCRIPTION
1	26.02.18	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
2	15.12.17	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
3	06.12.17	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
4	21.11.17	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
5	03.10.17	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
6	27.08.17	AC	REVISED FINAL ISSUE (REVISED IBC LAYOUT)
7	19.08.17	LOU	FINAL ISSUE FOR CONSTRUCTION
8	04.09.17	AC	FINAL ISSUE

LOGAN FUNERALS
PROPOSED FUNERAL HOME
60617 LEICHHARDT HIGHWAY, GOONDIWINDI
elevations
Scale: 1:100
Drawing No: 170222.04
Page: 8 of 12
A2



1 slab plan
1:100

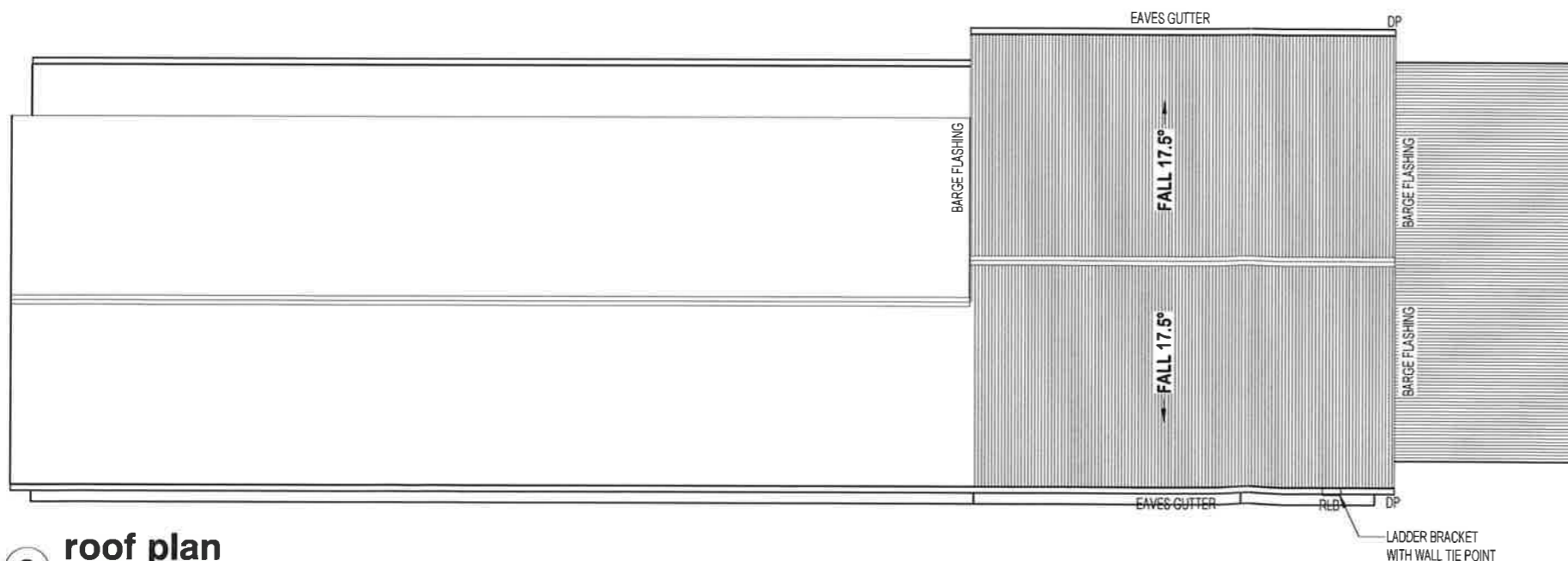
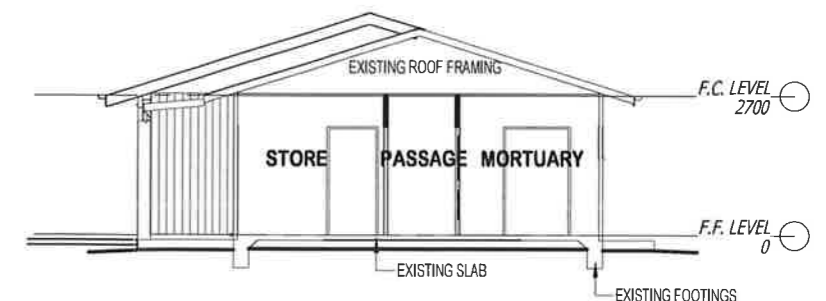
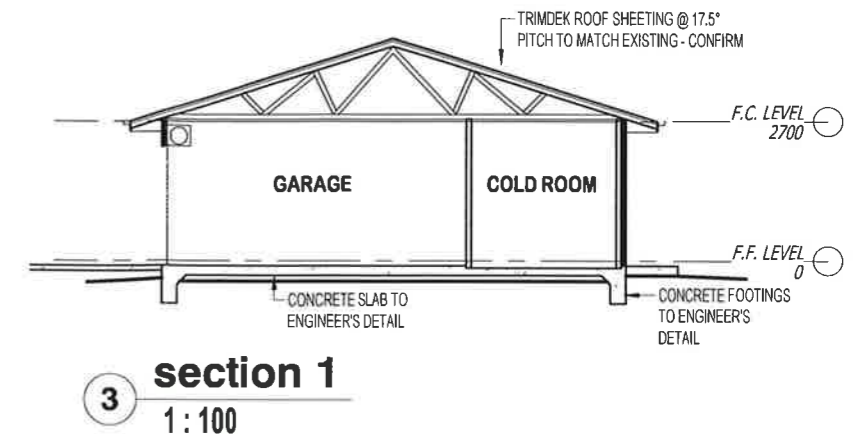
NOTES:

- TERMITE BARRIER TO BE PROVIDED IN ACCORDANCE WITH PART B1.4(i) OF BCA AND AS 3660.1.
- SLAB AND FOOTING DESIGN TO ENGINEERS DETAIL

MARK	DESCRIPTION
THR	THRESHOLD RAMP

MARK	DESCRIPTION	SLIP RESISTANCE
TGSI	TACTILE GROUND SURFACE INDICATOR - CONTRASTING TO BACKGROUND SURFACE	R10 DRY, R11 WET
LND	LANDING	R10 DRY, R11 WET
WKW	WALKWAY	R9 DRY, R10 WET
THR	THRESHOLD RAMP	R11 DRY, R12 WET
AR	ACCESS RAMP	R10 DRY, R11 WET
SR	STEP RAMP	R11 DRY, R12 WET
KR	KERB RAMP	R11 DRY, R12 WET
SN	STAIR NOSING - MIN 50w - CONTRASTING	P3 DRY, P4 WET
ACP&SZ	ACCESSIBLE CARPARK & SHARED ZONE - MAX FALL GRADIENT 1:40, MAX CROSS FALL GRADIENT 1:40	R10 DRY, R11 WET
HR	HANDRAIL	
HR&KR	HANDRAIL AND KERB RAIL	

ABUTMENT & GAPPING OF SURFACES IN A CONTINUOUS PATH OF TRAVEL NOT TO EXCEED LIMITS OF SECT 7 AS 1428.1



2 roof plan
1:100

NOTES:

- ALL ROOFING, GUTTERS AND FLASHINGS TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS. RAINWATER GOODS TO BE MANUFACTURED IN ACCORDANCE WITH AS/NZS 278.1

- ALL MATERIALS MUST BE COMPATIBLE WITH EACH OTHER.

- EAVES GUTTER - 125mm - 90° DOWNPIPE

- DOWNPIPES TO BE FIXED TO WALLS TO ENGINEERS DETAIL.

- FALL ARREST SAFETY SYSTEM TO COMPLY WITH AS 1891 FOR FUTURE BUILDING MAINTENANCE. INSTALL NECESSARY IDENTIFICATION PLAQUE AND PROVIDE OPERATIONS MANUAL TO BUILDING OCCUPIER.

DP DOWNPIPE
RLB ROOF LADDER BRACKET

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice

Council Reference: 16/4360

Dated: 4/4/18

Signed: *Carol Marston*

Print Name: Carol Marston
(Under Delegation) ASSESSMENT MANAGER

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FALL 17.5°

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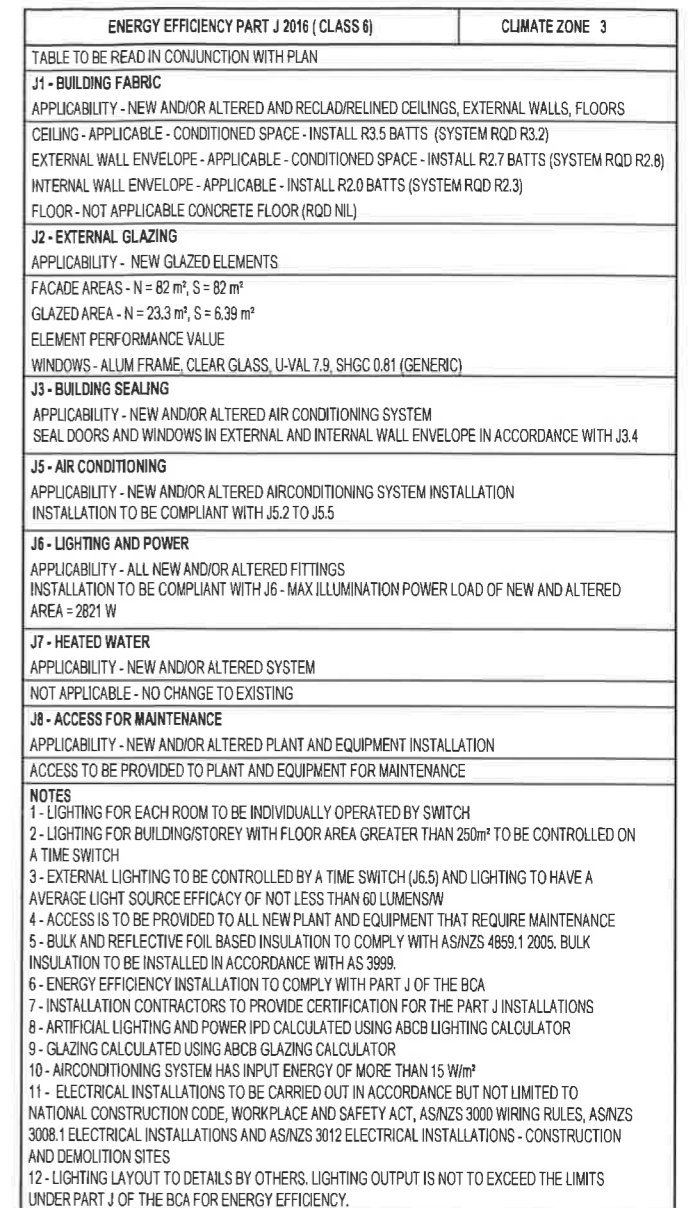
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Autodesk Revit Building

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RIL
QBCC Lic. No. 80250
N2

NO.	DATE	DESCRIPTION	REVISION
1	20.02.18	AC	REVISED FINAL ISSUE
2	15.12.17	AC	REVISED FINAL ISSUE (REVISED WC LAYOUT)
3	06.12.17	AC	REVISED FINAL ISSUE (COFFIN DISPLAY WALL, PARKING LAYOUT)
4	06.12.17	AC	REVISED FINAL ISSUE (IMPROVED DRIVE)
5	21.11.17	AC	REVISED FINAL ISSUE (CARPARKING & DRIVEWAY)
6	03.10.17	AC	REVISED FINAL ISSUE
7	22.06.17	AC	FINAL ISSUE
8	19/09/17	LOU	ISSUE FOR CONSTRUCTION
9	04.09.17	AC	FINAL ISSUE

LOGAN FUNERALS
PROPOSED FUNERAL HOME
60617 LEICHHARDT HIGHWAY, GOONDIWINDI
slab plan, roof plan & sections

SCALE 1:100
PROJECT NO. 170222.05
NO. OF SHEETS 8
SHEET 12
A2



SUMMARY OF SPECIFICATIONS FOR WALKWAYS, RAMPS AND LANDINGS

Component	Gradient	Width	Height	Length	Landing spacing	Maximum camber/crossfall	Clause/ Figure
Walkway (straight)	Not steeper than 1 in 20	1000 mm minimum unobstructed	N/A	N/A	Walkway gradient Less than 1 in 33 1 in 33 1 in 20 Between 1 in 33 and 1 in 20 Landing spacing 25 m maximum 15 m maximum By interpolation	For walkway gradients shallower than 1 in 33; a camber or crossfall of not steeper than 1 in 40; or 1 in 33 where the surface is bitumen. Camber or crossfall not required where the walkway gradient is 1 in 33 or steeper	10.1 and 10.2
Walkway (curved)	Not steeper than 1 in 20	1500 mm minimum unobstructed	N/A	N/A	Walkway gradient Less than 1 in 33 1 in 33 1 in 20 Between 1 in 33 and 1 in 20 Landing spacing 25 m maximum 15 m maximum By interpolation	For walkway gradients shallower than 1 in 33; a camber or crossfall of not steeper than 1 in 40; or 1 in 33 where the surface is bitumen. Camber or crossfall not required where the walkway gradient is 1 in 33 or steeper	10.1 and 10.4
Ramp (straight)	Steeper than 1 in 20 and not steeper than 1 in 14	1000 mm minimum unobstructed	See Premises Standards/BCA for maximum height of a series of connected ramps	N/A	Ramp gradient 1 in 14 1 in 20 Between 1 in 14 and 1 in 20 Landing spacing 9 m maximum 15 m maximum By interpolation	To be level	10.1 and 10.3
Ramp (curved)	Steeper than 1 in 20 and not steeper than 1 in 14	1500 mm minimum unobstructed	See Premises Standards/BCA for maximum height of a series of connected ramps	N/A	Ramp gradient 1 in 14 1 in 20 Between 1 in 14 and 1 in 20 Landing spacing 9 m maximum 15 m maximum By interpolation	N/A	10.1 and 10.4
Step ramp	Not steeper than 1 in 10	1000 mm minimum unobstructed	190 mm maximum	1900 mm maximum	N/A	To be level	10.1 and 10.6
Kerb ramp	Not steeper than 1 in 8	1000 mm minimum unobstructed	190 mm maximum	1520 mm maximum	N/A	To be level	10.1 and 10.7
Threshold ramp	Not steeper than 1 in 8	Minimum width of opening between door jambs unobstructed	35 mm maximum	280 mm maximum	N/A	N/A	10.5
Landing with no change of direction	Not steeper than 1 in 40 or 1 in 33 where the surface is bitumen	1000 mm minimum unobstructed	N/A	1200 mm minimum	Refer to walkways and ramps	A camber or crossfall not steeper than 1 in 40 or 1 in 33 where the surface is bitumen. At doorways no crossfall or camber	10.1 and 10.8
Landing with up to 90° change of direction	Not steeper than 1 in 40 or 1 in 33 where the surface is bitumen	1500 mm minimum unobstructed	N/A	1500 mm minimum	Refer to walkways and ramps for spacing of landings and Figure 13 for angle of approach requirements	A camber or crossfall of not steeper than 1 in 40 or 1 in 33 where the surface is bitumen. At doorways no crossfall or camber	10.1 and 10.8
Landing with between 90° to 180° change of direction	Not steeper than 1 in 40 or 1 in 33 where the surface is bitumen	1540 mm minimum unobstructed	N/A	2070 mm minimum	Refer to walkways and ramps for spacing of landings and Figure 13 for angle of approach requirements	A camber or crossfall of not steeper than 1 in 40 or 1 in 33 where the surface is bitumen. At doorways no crossfall or camber	10.1 and 10.8

Accessed by Arenkay Design Pty Ltd on 20 Nov 2015. [AVAILABLE SUPERSEDED] (Document currency not guaranteed when printed)

Accessed by Arenkay Design Pty Ltd on 20 Nov 2015. [AVAILABLE SUPERSEDED] (Document currency not guaranteed when printed)

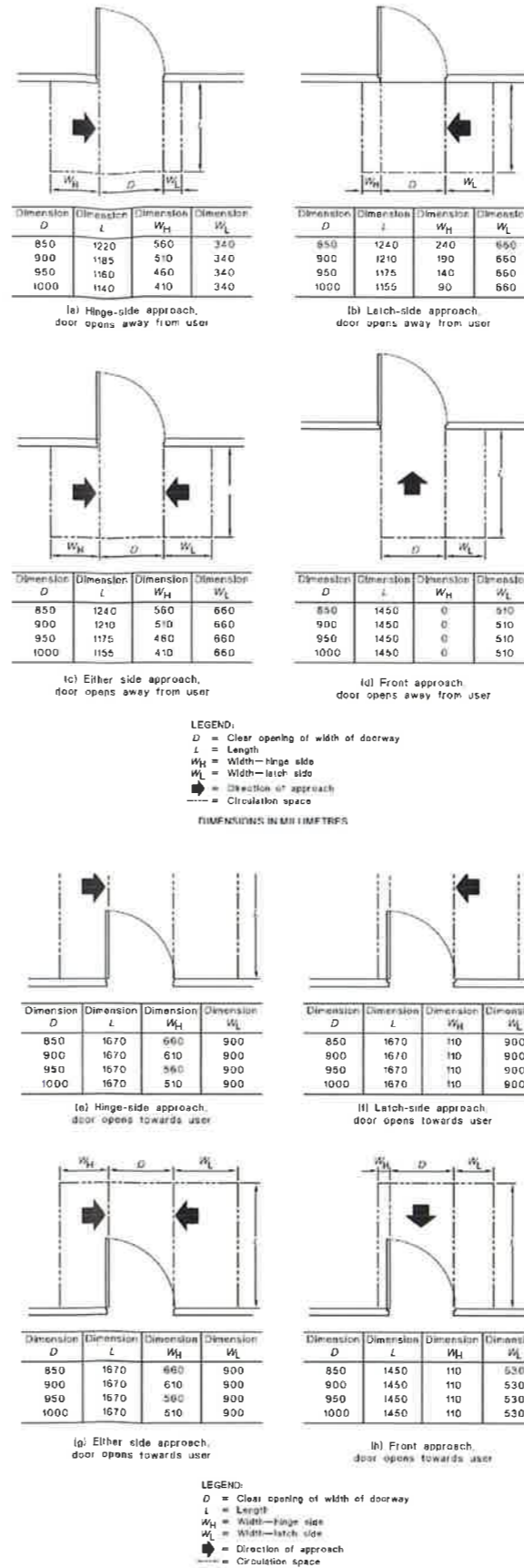
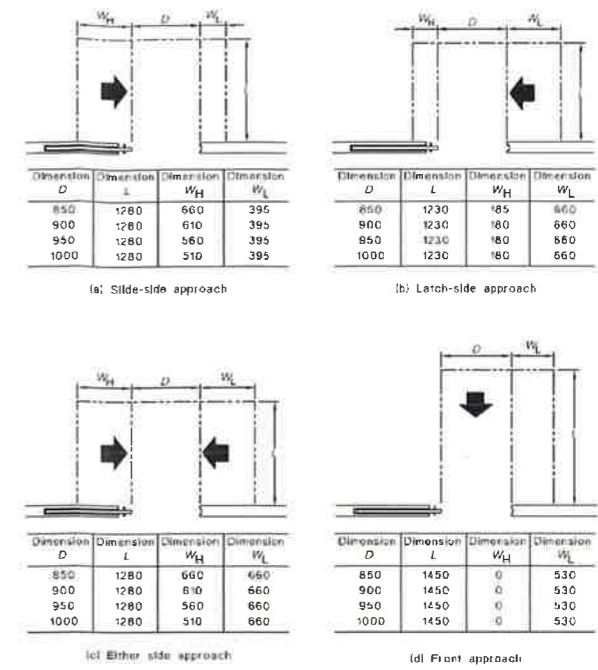


FIGURE 31 (in part) CIRCULATION SPACES AT DOORWAYS WITH SWINGING DOORS

AS 1428.1—2009

60



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 16/4340
Dated: 4/4/18
Signed: *Carl Manton*
Print Name: Carl Manton
(Under Delegation) ASSESSMENT MANAGER

www.standards.org.au

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Attachment 3 – Infrastructure Charges Notice





Goondiwindi Customer Service
Centre
82 Marshall Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Fax: 07 4671 7433

Email: mail@grc.qld.gov.au

Infrastructure Charges Notice

Address	60617 Leichhardt Highway, Goondiwindi
Real Property Description	Lot 22 on SP146057
Owner	Trevor Leslie and Troy James Scott
Applicant	Tim Logan
Application No.	16/43W
Date	24 February 2017
Approval	Material Change of Use – Development Permit

Development Application Details

"Commercial activities" – "Commercial premises" (Funeral home)

Proposed Use	Charge Area	Type of Charge	Charge Amount (\$)	Unit	Total Charge (\$)
Commercial (Office)	A	Stormwater	1.00 per m ² for all impervious area	2,595m ²	2,595

Due Date	When the change of use happens	Total Charge (\$)	2,595.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	24 February 2020		

Authorized by:

Print Name:

Mr Carl Manton
CHIEF EXECUTIVE OFFICER

An offset has been applied to this notice for any existing buildings GFA at \$8.00 per m² of GFA, and \$1.00 per m² of impervious area.

In accordance with s633 of the Sustainable Planning Act 2009

Office Use - Receipt Number

Charges – 1250-1150-0000
Drainage – 1250-1151-0000





Attachment 4 – Notice about decision - Statement of reasons



Notice about decision - Statement of reasons

The following information is provided in accordance with section 63 (5) of the *Planning Act 2016* and must be published on the assessment managers website

The development application for "*Commercial activities*" – "*Commercial premises*" (Funeral home)

16/43W

60617 Leichhardt Highway, Goondiwindi

Lot 22 on SP146057

On 04 April 2018, the above development application was:

- ☒ approved in full or
☐ approved in part for _____ or
☐ approved in full with conditions or
☐ approved in part for _____, with conditions or
☐ refused.

1. Reasons for the decision

The reasons for this decision are:

- *Having regard to the requirements of the 2006 Planning Scheme for the former Waggamba Shire Council and the relevant facts and circumstances, it is recommended that the proposed development be approved subject to appropriate, relevant and reasonable conditions.*

2. Assessment benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Mixed Use zone code	AS15.2

3. Compliance with benchmarks

The proposed development complied with the assessment benchmarks

4. Relevant matters for impact assessable development

Not required for this minor change application.

5. Matters raised in submissions for impact assessable development

Not required for this minor change application.

6. Matters prescribed by Regulation

Not required for this minor change application.



Attachment 5 – Rights of Appeal Waiver



Attachment 5: Rights of Appeal Waiver

Planning Act 2016
Rights of Appeal Waiver

Purpose of this form: *This form will be used to process your request to waive your appeal rights to process your approval without unnecessary delay.*

Applicant:	Timothy Henry Logan
File Number:	16/43W
Property Address:	60617 Leichardt Highway, Goondiwindi

This is to confirm that I/We have received the above approval and agree to the conditions contained therein. I/We hereby waive my/our appeal rights available under the *Planning Act 2016*.

Name		Name	
Signature		Signature	
Date		Date	

Please return this form to:

Fax: (07) 4671 7433

Post: LMB 7, Inglewood QLD 4387

Email: mail@grc.qld.gov.au

In person: Council Chambers, 4 McLean Street, Goondiwindi QLD 4390
Goondiwindi Civic Centre, 100 Marshall Street, Goondiwindi QLD 4390
Inglewood Customer Service Centre, 18 Elizabeth Street, Inglewood QLD 4387
Texas Customer Service Centre, High Street, Texas QLD 4385

Privacy Statement

This information collected on this Form will be used by the Goondiwindi Regional Council in accordance with the processing and assessment of your application. Your personal details will not be disclosed for a purpose outside of Council policy, except where required by legislation (including the *Information Privacy Act 2009*) or as required by the Queensland State Government. This information may be stored in the Council database.



Attachment 6 – *Planning Act 2016* Extracts



**EXTRACT FROM PLANNING ACT 2016
RELATING TO APPEAL RIGHTS**

Chapter 6 Dispute Resolution, Part 1 Appeal Rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

(a) matters that may be appealed to—

- (i) either a tribunal or the P&E Court; or
- (ii) only a tribunal; or
- (iii) only the P&E Court; and

(b) the person—

- (i) who may appeal a matter (the **appellant**); and
- (ii) who is a respondent in an appeal of the matter; and
- (iii) who is a co-respondent in an appeal of the matter; and
- (iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period is—**

- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the

deemed approval notice to the assessment manager; or

- (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—

- (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—

- (i) the establishment cost of trunk infrastructure identified in a LGIP; or

- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—

- (a) is in the approved form; and

- (b) succinctly states the grounds of the appeal.

- (2) The notice of appeal must be accompanied by the required fee.

- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and

- (b) each co-respondent for the appeal; and

- (c) for an appeal about a development application under schedule 1, table 1, item 1—each

principal submitter for the development application; and

(d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and

(e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and

(f) for an appeal to the P&E Court—the chief executive; and

(g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The **service period** is—

(a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or

(b) otherwise—10 business days after the appeal is started.

(5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).

(6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

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.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

(1) The Minister, or chief executive, (the appointer) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—

(a) has the qualifications or experience prescribed by regulation; and

(b) has demonstrated an ability—

(i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice; and

(iii) to analyse complex technical issues; and

(iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

(2) The appointer may—

(a) appoint a referee for the term, of not more than 3 years, stated in the appointment notice; and

(b) reappoint a referee, by notice, for further terms of not more than 3 years.

(3) If an appointer appoints a public service officer as a referee, the officer holds the appointment concurrently with any other appointment that the officer holds in the public service.

(4) A referee must not sit on a tribunal unless the referee has given a declaration, in the approved form and signed by the referee, to the chief executive.

(5) The appointer may cancel a referee's appointment at any time by giving a notice, signed by the appointer, to the referee.

(6) A referee may resign the referee's appointment at any time by giving a notice, signed by the referee, to the appointer.

(7) In this section—

appointment notice means—

(a) if the Minister gives the notice—a gazette notice; or

(b) if the chief executive gives the notice—a notice given to the person appointed as a referee.

234 Referee with conflict of interest

(1) This section applies if the chief executive informs a referee that the chief executive proposes to appoint the referee as a tribunal member, and either or both of the following apply—

(a) the tribunal is to hear a matter about premises—

(i) the referee owns; or

(ii) for which the referee was, is, or is to be, an architect, builder, drainer, engineer, planner, plumber, plumbing inspector, certifier, site evaluator or soil assessor; or

(iii) for which the referee has been, is, or will be, engaged by any party in the referee's capacity as an accountant, lawyer or other professional; or

(iv) situated or to be situated in the area of a local government of which the referee is an officer, employee or councillor;

(b) the referee has a direct or indirect personal interest in a matter to be considered by the tribunal, and the interest could conflict with the proper performance of the referee's functions for the tribunal's consideration of the matter.

(2) However, this section does not apply to a referee only because the referee previously acted in relation to the preparation of a relevant local planning instrument.

(3) The referee must notify the chief executive that this section applies to the referee, and on doing so, the chief executive must not appoint the referee to the tribunal.

(4) If a tribunal member is, or becomes, aware the member should not have been appointed to the tribunal, the member must not act, or continue to act, as a member of the tribunal.

235 Establishing development tribunal

(1) The chief executive may at any time establish a tribunal, consisting of up to 5 referees, for tribunal proceedings.

(2) The chief executive may appoint a referee for tribunal proceedings if the chief executive considers the referee has the qualifications or experience for the proceedings.

(3) The chief executive must appoint a referee as the chairperson for each tribunal.

(4) A regulation may specify the qualifications or experience required for particular proceedings.

(5) After a tribunal is established, the tribunal's membership must not be changed.

236 Remuneration

A tribunal member must be paid the remuneration the Governor in Council decides.

237 Tribunal proceedings

- (1) A tribunal must ensure all persons before the tribunal are afforded natural justice.*
- (2) A tribunal must make its decisions in a timely way.*
- (3) A tribunal may—*
 - (a) conduct its business as the tribunal considers appropriate, subject to a regulation made for this section; and*
 - (b) sit at the times and places the tribunal decides; and*
 - (c) hear an appeal and application for a declaration together; and*
 - (d) hear 2 or more appeals or applications for a declaration together.*
- (4) A regulation may provide for—*
 - (a) the way in which a tribunal is to operate, including the qualifications of the chairperson of the tribunal for particular proceedings; or*
 - (b) the required fee for tribunal proceedings.*

238 Registrar and other officers

- (1) The chief executive may, by gazette notice, appoint—*
 - (a) a registrar; and*
 - (b) other officers (including persons who are public service officers) as the chief executive considers appropriate to help a tribunal perform its functions.*
- (2) A person may hold the appointment or assist concurrently with any other public service appointment that the person holds.*

Division 2 Applications for declarations

239 Starting proceedings for declarations

- (1) A person may start proceedings for a declaration by a tribunal by filing an application, in the approved form, with the registrar.*
- (2) The application must be accompanied by the required fee.*

240 Application for declaration about making of development application

- (1) The following persons may start proceedings for a declaration about whether a development application is properly made—*
 - (a) the applicant;*
 - (b) the assessment manager.*
- (2) However, a person may not seek a declaration under this section about whether a development application is accompanied by the written consent of the owner of the premises to the application.*
- (3) The proceedings must be started by—*
 - (a) the applicant within 20 business days after receiving notice from the assessment manager, under the development assessment rules, that the development application is not properly made; or*
 - (b) the assessment manager within 10 business days after receiving the development application.*
- (4) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.*
- (5) In this section—*

respondent means—

- (a) if the applicant started the proceedings—the assessment manager; or*
- (b) if the assessment manager started the proceedings—the applicant.*

241 Application for declaration about change to development approval

- (1) This section applies to a change application for a development approval if—*
 - (a) the approval is for a material change of use of premises that involves the use of a classified building; and*
 - (b) the responsible entity for the change application is not the P&E Court.*
- (2) The applicant, or responsible entity, for the change application may start proceedings for a*

declaration about whether the proposed change to the approval is a minor change.

- (3) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.

- (4) In this section—

respondent means—

- (a) if the applicant started the proceedings—the responsible entity; or
- (b) if the responsible entity started the proceedings—the applicant.

Division 3 Tribunal proceedings for appeals and declarations

242 Action when proceedings start

If a document starting tribunal proceedings is filed with the registrar within the period required under this Act, and is accompanied by the required fee, the chief executive must—

- (a) establish a tribunal for the proceedings; and
- (b) appoint 1 of the referees for the tribunal as the tribunal's chairperson, in the way required under a regulation; and
- (c) give notice of the establishment of the tribunal to each party to the proceedings.

243 Chief executive excusing noncompliance

- (1) This section applies if—

- (a) the registrar receives a document purporting to start tribunal proceedings, accompanied by the required fee; and
- (b) the document does not comply with any requirement under this Act for validly starting the proceedings.

- (2) The chief executive must consider the document and decide whether or not it is reasonable in the circumstances to excuse the noncompliance (because it would not cause substantial injustice in the proceedings, for example).

- (3) If the chief executive decides not to excuse the noncompliance, the chief executive must give a notice stating that the document is of no effect,

because of the noncompliance, to the person who filed the document.

- (4) The chief executive must give the notice within 10 business days after the document is given to the chief executive.

- (5) If the chief executive does excuse the noncompliance, the chief executive may act under section 242 as if the noncompliance had not happened.

244 Ending tribunal proceedings or establishing new tribunal

- (1) The chief executive may decide not to establish a tribunal when a document starting tribunal proceedings is filed, if the chief executive considers it is not reasonably practicable to establish a tribunal.

Examples of when it is not reasonably practicable to establish a tribunal—

- there are no qualified referees or insufficient qualified referees because of a conflict of interest
- the referees who are available will not be able to decide the proceedings in a timely way

- (2) If the chief executive considers a tribunal established for tribunal proceedings—

(a) does not have the expertise to hear or decide the proceedings; or

(b) is not able to make a decision for proceedings (because of a tribunal member's conflict of interest, for example); the chief executive may decide to suspend the proceedings and establish another tribunal, complying with section 242(c), to hear or re-hear the proceedings.

- (3) However, the chief executive may instead decide to end the proceedings if the chief executive considers it is not reasonably practicable to establish another tribunal to hear or re-hear the proceedings.

- (4) If the chief executive makes a decision under subsection (1) or (3), the chief executive must give a decision notice about the decision to the parties to the proceedings.

- (5) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the chief

executive gives the decision notice to the party who started the proceedings.

- (6) *The decision notice must state the effect of subsection (5).*

245 Refunding fees

The chief executive may, but need not, refund all or part of the fee paid to start proceedings if the chief executive decides under section 244—

- (a) not to establish a tribunal; or*
- (b) to end the proceedings.*

246 Further material for tribunal proceedings

- (1) *The registrar may, at any time, ask a person to give the registrar any information that the registrar reasonably requires for the proceedings.*

Examples of information that the registrar may require—

- material about the proceedings (plans, for example)*
- information to help the chief executive decide whether to excuse noncompliance under section 243*
- for a deemed refusal—a statement of the reasons why the entity responsible for deciding the application had not decided the application during the period for deciding the application.*

- (2) *The person must give the information to the registrar within 10 business days after the registrar asks for the information.*

247 Representation of Minister if State interest involved

If, before tribunal proceedings are decided, the Minister decides the proceedings involve a State interest, the Minister may be represented in the proceedings.

248 Representation of parties at hearing

A party to tribunal proceedings may appear—

- (a) in person; or*
- (b) by an agent who is not a lawyer.*

249 Conduct of tribunal proceedings

- (1) *Subject to section 237, the chairperson of a tribunal must decide how tribunal proceedings are to be conducted.*

- (2) *The tribunal may decide the proceedings on submissions if the parties agree.*

- (3) *If the proceedings are to be decided on submissions, the tribunal must give all parties a notice asking for the submissions to be made to the tribunal within a stated reasonable period.*

- (4) *Otherwise, the tribunal must give notice of the time and place of the hearing to all parties.*

- (5) *The tribunal may decide the proceedings without a party's submission (written or oral) if—*

- (a) for proceedings to be decided on submissions—the party's submission is not received within the time stated in the notice given under subsection (3); or*

- (b) for proceedings to be decided by hearing—the person, or the person's agent, does not appear at the hearing.*

- (6) *When hearing proceedings, the tribunal—*

- (a) need not proceed in a formal way; and*

- (b) is not bound by the rules of evidence; and*

- (c) may inform itself in the way it considers appropriate; and*

- (d) may seek the views of any person; and*

- (e) must ensure all persons appearing before the tribunal have a reasonable opportunity to be heard; and*

- (f) may prohibit or regulate questioning in the hearing.*

- (7) *If, because of the time available for the proceedings, a person does not have an opportunity to be heard, or fully heard, the person may make a submission to the tribunal.*

250 Tribunal directions or orders

A tribunal may, at any time during tribunal proceedings, make any direction or order that the tribunal considers appropriate.

Examples of directions—

- a direction to an applicant about how to make their development application comply with this Act

- a direction to an assessment manager to assess a development application, even though the referral agency's response to the assessment manager was to refuse the application

251 Matters tribunal may consider

(1) This section applies to tribunal proceedings about—

(a) a development application or change application; or

(b) an application or request (however called) under the Building Act or the Plumbing and Drainage Act.

(2) The tribunal must decide the proceedings based on the laws in effect when—

(a) the application or request was properly made; or

(b) if the application or request was not required to be properly made—the application or request was made.

(3) However, the tribunal may give the weight that the tribunal considers appropriate, in the circumstances, to any new laws.

252 Deciding no jurisdiction for tribunal proceedings

(1) A tribunal may decide that the tribunal has no jurisdiction for tribunal proceedings, at any time before the proceedings are decided—

(a) on the tribunal's initiative; or

(b) on the application of a party.

(2) If the tribunal decides that the tribunal has no jurisdiction, the tribunal must give a decision notice about the decision to all parties to the proceedings.

(3) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the tribunal gives the decision notice to the party who started the proceedings.

(4) The decision notice must state the effect of subsection (3).

(5) If the tribunal decides to end the proceedings, the fee paid to start the proceedings is not refundable.

253 Conduct of appeals

(1) This section applies to an appeal to a tribunal.

(2) Generally, the appellant must establish the appeal should be upheld.

(3) However, for an appeal by the recipient of an enforcement notice, the enforcement authority that gave the notice must establish the appeal should be dismissed.

(4) The tribunal must hear and decide the appeal by way of a reconsideration of the evidence that was before the person who made the decision appealed against.

(5) However, the tribunal may, but need not, consider—

(a) other evidence presented by a party to the appeal with leave of the tribunal; or

(b) any information provided under section 246.

254 Deciding appeals to tribunal

(1) This section applies to an appeal to a tribunal against a decision.

(2) The tribunal must decide the appeal by—

(a) confirming the decision; or

(b) changing the decision; or

(c) replacing the decision with another decision; or

(d) setting the decision aside, and ordering the person who made the decision to remake the decision by a stated time; or

(e) for a deemed refusal of an application—

(i) ordering the entity responsible for deciding the application to decide the application by a stated time and, if the entity does not comply with the order, deciding the application; or

(ii) deciding the application.

(3) However, the tribunal must not make a change, other than a minor change, to a development application.

(4) The tribunal's decision takes the place of the decision appealed against.

(5) The tribunal's decision starts to have effect—

(a) if a party does not appeal the decision—at the end of the appeal period for the decision; or

(b) if a party appeals against the decision to the P&E Court—subject to the decision of the court, when the appeal ends.

255 Notice of tribunal's decision

A tribunal must give a decision notice about the tribunal's decision for tribunal proceedings, other than for any directions or interim orders given by the tribunal, to all parties to proceedings.

256 No costs orders

A tribunal must not make any order as to costs.

257 Recipient's notice of compliance with direction or order

If a tribunal directs or orders a party to do something, the party must notify the registrar when the thing is done.

258 Tribunal may extend period to take action

(1) This section applies if, under this chapter, an action for tribunal proceedings must be taken within a stated period or before a stated time, even if the period has ended or the time has passed.

(2) The tribunal may allow a longer period or a different time to take the action if the tribunal considers there are sufficient grounds for the extension.

259 Publication of tribunal decisions

The registrar must publish tribunal decisions under the arrangements, and in the way, that the chief executive decides.

Schedule 1 Appeals

section 229

Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

(a) the P&E court; or

(b) a tribunal.

(2) However, table 1 applies to a tribunal only if the matter involves—

(a) the refusal, or deemed refusal of a development application, for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(b) a provision of a development approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(c) if a development permit was applied for—the decision to give a preliminary approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(d) a development condition if—

(i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

(ii) the building is, or is proposed to be, not more than 3 storeys; and

(iii) the proposed development is for not more than 60 sole-occupancy units; or

(e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or

(f) a decision for, or a deemed refusal of, a change

application for a development approval that is only for a material change of use of a classified building; or

(g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

(h) a decision to give an enforcement notice—

(i) in relation to a matter under paragraphs (a) to (g); or

(ii) under the Plumbing and Drainage Act; or

(i) an infrastructure charges notice; or

(j) the refusal, or deemed refusal, of a conversion application; or

(l) a matter prescribed by regulation.

(3) Also, table 1 does not apply to a tribunal if the matter involves—

(a) for a matter in subsection (2)(a) to (d)—

(i) a development approval for which the development application required impact assessment; and

(ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

(b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

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

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

(6) In each table—

(a) column 1 states the appellant in the appeal; and

(b) column 2 states the respondent in the appeal; and

(c) column 3 states the co-respondent (if any) in the appeal; and

(d) column 4 states the co-respondents by election (if any) in the appeal.

(7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

(8) In this section—

storey see the Building Code, part A1.1.

Table 1

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

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.

**EXTRACT FROM THE *PLANNING ACT 2016*
RELATING TO LAPSE DATES**

***Division 4 Lapsing of and extending
development approvals***

85 Lapsing of approval at end of current period

- (1) *A part of a development approval lapses at the end of the following period (the **currency period**)—*
- (a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—*
 - (i) the period stated for that part of the approval; or*
 - (ii) if no period is stated—6 years after the approval starts to have effect;*
 - (b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—*
 - (i) the period stated for that part of the approval; or*
 - (ii) if no period is stated—4 years after the approval starts to have effect;*
 - (c) for any other part of the development approval if the development does not substantially start within—*
 - (i) the period stated for that part of the approval; or*
 - (ii) if no period is stated—2 years after the approval starts to take effect.*
- (2) *If part of a development approval lapses, any monetary security given for that part of the approval must be released.*