

File: 18/23W
Date: 28 February 2019

Carter Brothers Pty Ltd
C/- Proterra Group
PO Box 208
TOOWOOMBA QLD 4350

Attention: Eben Geldenhuis

Dear Mr Geldenhuis

**Decision Notice – approval (with conditions)
Material Change of Use
Lot 3 on RP12440, “Passchendaele”, 1100 Barwon Highway, Goodar**

We wish to advise that on 27 February 2019 a decision was made to approve the material change of use development application at Lot 3 on RP12440, “Passchendaele”, 1100 Barwon Highway, Goodar for:

- “Industrial activities”
 - “Low impact industry” (Grain storage and distribution);
 - “Transport depot” (Machinery storage shed);
- “Business activities”
 - “Office”;
- “Accommodation activities”
 - “Caretaker’s accommodation”; and
 - “Non-resident workforce accommodation”

In accordance with the *Planning Act 2016*, please find attached Council’s Decision Notice for the application.

Please read the conditions carefully as these include actions which must be undertaken **prior to the commencement of the use** as well as requirements for the ongoing operation of the use.

All conditions are required to be either complied with or bonded prior to the commencement of the use. Please note **Condition 39**, which requires a letter to be submitted to Council prior to commencement of the use, outlining and demonstrating compliance with each condition.

The applicant is required to **notify Council in writing of the date of the commencement of the use**, within fourteen (14) business days of commencement.

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

A handwritten signature in black ink, appearing to read 'RM McMahon', with a long horizontal flourish extending to the right.

Ronnie McMahon
Manager of Planning Services
Goondiwindi Regional Council

Decision Notice approval

Planning Act 2016 section 63

Council File Reference: 18/23W
Council Contact: Mrs Ronnie McMahon: LMM
Council Contact Phone: (07) 4671 7400

28 February 2019

Applicant Details: Carter Brothers Pty Ltd
C/- Proterra Group
PO Box 208
TOOWOOMBA QLD 4350

Attention: Eben Geldenhuis

The development application described below was properly made to Goondiwindi Regional Council on 4 September 2018.

Applicant details

Applicant name: Carter Brothers Pty Ltd
C/- Proterra Group

Applicant contact details: PO Box 208, Toowoomba Qld 4350
Mobile: 0401 041 195
Eben.geldenhuis@proterragroup.com.au

Application details

Application number: 18/23W

Approval sought: Development Permit - Material Change of Use

Details of proposed development:

- *"Industry activities"*
 - *"Low impact industry"* (Grain storage and distribution)
 - *"Transport depot"* (Machinery storage shed);
- *"Business activities"*
 - *"Office"*;
- *"Accommodation activities"*
 - *"Caretaker's accommodation"*; and
 - *"Non-resident workforce accommodation"*

Location details

Street address: "Passchendaele", 1100 Barwon Highway, Goodar

Real property description: Lot 3 on RP12440

Decision

Date of decision:	27 February 2019
Decision details:	Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Details of the approval

Development permit	Material Change of Use
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Conditions

This approval is subject to the conditions in Attachment 1.

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 work under the *Building Act 1975*.

Properly made submissions

A properly made submission was received from the following principal submitter:

Submitter	Name of Principal submitter	Address
1	Michael & Janette Moloney	"Whitewood", 1102 Barwon Highway, Goondiwindi

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*

- [For material change of use] 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]				
Site Plan Grain Facility Barwon Highway Callandoon	Proterra Group	04-09-2018	17-658-02	-
DIA. 21 FT. SILO Planning – in Details	Grainmaster	12-05-09	GM-21-PD-01	Revision B
21FT SILO 1 & 2 concrete slab layout plan	Grainmaster	13-05-09	GM-21-SC- CS-03	Revision A
21 FT SILO 3 & 4 concrete slab layout plan	Grainmaster	13-05-09	GM-21-SC- CS-04	Revision A
Floor Plan, Elevations and Structural Details	State Wide Sheds	28-03-14	21137-S01	Revision D
Floor Plan	ATCO Structures & Logistics	11-10-12	V-314a-H- C2-01	Revision G
Elevations	ATCO Structures & Logistics	11-10-12	V-314a-H- C2-02	Revision G
Plan	ATCO Structures & Logistics	28-07-15	LR-036-S- A01	-
Elevations	ATCO Structures & Logistics	28-07-15	LR-036-S- A02	-

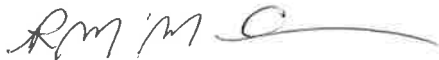
Attachment 4 is a Notice about decision - Statement of reasons, in accordance with section 63 (5) of the *Planning Act 2016*.

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



Ronnie McMahon
Manager of Planning Services
Goondiwindi Regional Council

cc M & J Moloney
"Whitewood"
1102 Barwon Highway
GOONDIWINDI

Dept. of State Development, Manufacturing, Infrastructure & Planning
Toowoomba Office
Via email: toowoombaSARA@dsdmip.qld.gov.au

enc Attachment 1—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 2016* Extracts



ATTACHMENTS

Attachment 1 – Assessment Manager’s Conditions

Part 1 – Assessment Manager’s Conditions

Part 2 – Department of State Development, Manufacturing, Infrastructure 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 – Assessment Manager's Conditions



Assessment Manager's Conditions

Proposed Use:	<p><i>"Industrial activities"</i></p> <ul style="list-style-type: none"> • <i>"Low impact industry"</i> (Grain Storage & distribution); • <i>"Transport depot"</i> (Machinery storage shed); <p><i>"Business activities"</i></p> <ul style="list-style-type: none"> • <i>"Office"</i>; <p><i>"Accommodation activities"</i></p> <ul style="list-style-type: none"> • <i>"Caretaker's accommodation"</i>; and • <i>"Non-resident workforce accommodation"</i>
Development:	Material Change of Use – Development Permit
Applicant:	Proterra Group for Carter Brothers Pty Ltd
Address:	"Passchendaele", 1100 Barwon Highway, Goodar
Real Property Description:	Lot 3 on RP12440
Council File Reference:	18/23W

GENERAL CONDITIONS																			
1.	<p>Approval is granted for the purpose of a Material Change of Use for:</p> <ul style="list-style-type: none"> • <i>"Industry activities"</i> – <i>"Low impact industry"</i> (Grain storage & distribution); • <i>"Industry activities"</i> – <i>"Transport depot"</i> (Machinery storage shed); • <i>"Business activities"</i> – <i>"Office"</i>; • <i>"Accommodation activities"</i> – <i>"Caretaker's accommodation"</i>; and • <i>"Accommodation activities"</i> – <i>"Non-resident workforce accommodation"</i> <p>as defined in the <i>Goondiwindi Region Planning Scheme 2018</i>.</p>																		
2.	All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.																		
3.	<p>The development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:</p> <table border="1"> <thead> <tr> <th>Drawing Number</th> <th>Title</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>17-658-02</td> <td>Site Plan Grain Facility, Barwon Highway Callandoon</td> <td>04-09-2018</td> </tr> <tr> <td>GM-21-PD-01, Rev B</td> <td>DIA. 21 FT, SILO Planning – in Details</td> <td>12-05-09</td> </tr> <tr> <td>GM-21-SC-CS-03, Rev A</td> <td>21 FT SILO 1 & 2 concrete slab layout plan</td> <td>13-05-09</td> </tr> <tr> <td>GM-21-SC-CS-04, Rev A</td> <td>21 FT SILO 3 & 4 concrete slab layout plan</td> <td>13-05-09</td> </tr> <tr> <td>21137-S01, Rev D</td> <td>Floor Plan, Elevations and Structural Details</td> <td>28-03-14</td> </tr> </tbody> </table>	Drawing Number	Title	Date	17-658-02	Site Plan Grain Facility, Barwon Highway Callandoon	04-09-2018	GM-21-PD-01, Rev B	DIA. 21 FT, SILO Planning – in Details	12-05-09	GM-21-SC-CS-03, Rev A	21 FT SILO 1 & 2 concrete slab layout plan	13-05-09	GM-21-SC-CS-04, Rev A	21 FT SILO 3 & 4 concrete slab layout plan	13-05-09	21137-S01, Rev D	Floor Plan, Elevations and Structural Details	28-03-14
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LR-036-S-A01	Plan	28-07-15											
LR-036-S-A02	Elevations	28-07-05											
4.	<p>Complete and maintain the approved development as follows:</p> <p>(i) Generally in accordance with development approval documents; and</p> <p>(ii) Strictly in accordance with those parts of the approved development which have been specified in detail by Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications.</p> <p>All development shall comply with any relevant provisions in the <i>Goondiwindi Region Planning Scheme 2018</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 plans 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.	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.												
6.	<p>A building approval issued by a Licenced Building Certifier will be required for all structures and buildings proposed and existing on the site before commencement of the use of the facility. These include the following:</p> <ul style="list-style-type: none"> As constructed silos and shed structures Office buildings, weighbridge and other relocatable structures <p>Note: Compliance with the Disability (Access to Premises – Buildings) Standards 2010 will apply to the office structure and amenities.</p>												
OPERATION OF THE USE													
7.	The proposed development shall be operated between the hours of 6:00am to 6:00pm daily.												
PUBLIC UTILITIES													
8.	The development shall remain connected to the electricity supply and telecommunications services networks, at no cost to Council.												
9.	An adequate water supply storage shall be provided on site to meet the requirements of the development. This shall include an adequate and reliable supply of water for fire fighting purposes.												

10.	An onsite sewerage design, prepared by a suitably qualified person, shall be provided at the time of a Plumbing and Drainage application.
ROADS AND VEHICLES	
11.	<p>All site accesses, including access to the Barwon Highway shall be provided and maintained in accordance with the submitted Traffic Impact Study, and in accordance with the Department of Transport and Main Roads requirements</p> <p>Crossovers shall be either constructed or bonded prior to the commencement of the use.</p> <p>The developer shall contact the Department of Transport and Main Roads to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.</p>
12.	<p>All areas where heavy vehicles regularly manoeuvre and park shall be constructed and maintained at all times to a dust suppressant all weather standard.</p> <p>These works shall be designed and constructed in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i>, to the satisfaction of and at no cost to Council. These works shall be either constructed or bonded prior to the commencement of use. 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 on site.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p> <p>Water trucks or equivalent dust mitigation measures shall be used as required during loading and unloading operations to prevent the creation of excessive dust nuisance.</p>
13.	<p>Thirty-three (33) car parking spaces shall be supplied on-site in accordance with the requirements of the <i>Goondiwindi Region Planning Scheme 2018</i>.</p> <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	
14.	Existing vegetation and landscaping along the site’s Barwon Highway frontage, and along the site’s western boundary, shall be retained and maintained at all times.
15.	The developer shall ensure that any landscaping does not increase the potential bushfire risk of the development.

STORMWATER	
16.	<p>Prior to the commencement of the use and at all times while the use continues, the site shall be adequately drained and all stormwater shall be disposed of to a legal discharge point in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i>, to the satisfaction of and at no cost to Council.</p> <p>Any increase 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 system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of waterways.</p>
17.	<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>
18.	<p>Stormwater drainage from the development site which may contain grain components is to be placed through a first flush ponding system prior to release to a natural water course off the development site.</p>
EARTHWORKS AND EROSION CONTROL	
19.	<p>Any filling or excavation shall be undertaken in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i> or to other relevant engineering standards to the satisfaction of and at no cost to Council.</p> <p>Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p>
20.	<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 completed in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</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	
21.	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> (the Act) 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.
22.	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.
23.	At all times while the use continues, lighting from 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. 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.
24.	The operator shall be responsible for mitigating any complaints arising from on-site operations.
25.	Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises. During construction the site must be kept in a clean and tidy state at all times.
26.	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. Waste receptacles shall be placed in a screened area. The site must maintain a general tidy appearance.
27.	All waste from the site associated with the construction and operational stage of the facility is to be disposed of via an approved waste facility. Management of waste and spilt grain from the site is to be managed by the facility operator.
DEVELOPER'S RESPONSIBILITIES	
28.	It is the developer's responsibility to ensure that the development is resilient to flood events by ensuring design and built form appropriately respond to the potential risks of flooding.
29.	It is the developer's responsibility to ensure that the development avoids any increase in water flow velocity or flood level, and does not increase the potential for flood damage wither on-site or on other properties.
30.	The development shall avoid the release of hazardous materials into floodwaters.
31.	The developer shall ensure that potential bushfire hazards are appropriately mitigated to reflect the hazard level of the site in regard to vegetation type and proximity, slope and aspect, bushfire history, on-site environmental values, ease of maintenance, and any specific implications of the development.

32.	Any alteration or damage to roads and/or public infrastructure that is attributable to the progress of works or vehicles associated with the development of the site shall be repaired to Council's satisfaction or the cost of repairs paid to Council.
33.	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.
34.	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.
35.	At all times while the use continues, all requirements of the conditions of the development approval must be maintained.
36.	It is the developer's responsibility to ensure that potential bushfire hazards are appropriately mitigated to reflect the hazard level of the site in regard to vegetation type and proximity, slope and aspect, bushfire history, on-site environmental values, ease of maintenance and any specific implications on the development.
COMMENCEMENT OF USE	
37.	<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>
38.	<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 six (6) years of the date the development approval takes effect, in accordance with the provisions contained in sections 85(i)(a) of the <i>Planning Act 2016</i>.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>
39.	A letter outlining and demonstrating that conditions have been, or will be, complied with shall be submitted to Council and approved by a relevant Officer of Council prior to commencement of the use at each relevant stage. 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 85 of the <i>Planning Act 2016</i>.</p> <p><i>When approval lapses</i></p> <p>This approval will lapse if the change of use has not occurred within the following period, in accordance with the provisions contained in section 85(i)(a) of the <i>Planning Act 2016</i>:</p> <p style="padding-left: 40px;">(a) If no period is stated – six (6) years after the approval starts to have effect.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>
	<p>Infrastructure charges as outlined in the Infrastructure Charges Notice included in Attachment 3 shall be paid prior to the commencement of the use.</p>
	<p>It is the applicant's responsibility to obtain all statutory approvals prior to commencement of any works onsite.</p>
	<p>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").</p>
	<p>This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i>.</p>
	<p>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.</p>



Attachment 1 – Concurrency Agency Conditions

Part 2 – Department of State Development, Manufacturing, Infrastructure and Planning - Concurrency Agency Response





Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our reference: 1809-7180 SRA
Your reference: 18/23W

9 November 2018

The Chief Executive Officer
Goondiwindi Regional Council
LMB 7
INGLEWOOD Qld 4387
Via email: mail@grc.qld.gov.au

Attention: Ronnie McMahon

Dear Ronnie

Referral agency response—no requirements

(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) on 12 October 2018.

Applicant details

Applicant name: Carter Brothers Limited
C/- Protterra Group

Applicant contact details: 2 Aubigny Street
Toowoomba QLD 4350
Via email: eben.geldenhuis@proterragroup.com.au

Location details

Street address: 1102 Barwon Highway, Goodar QLD 4390

Real property description: Lot 3 on RP12440

Local government area: Goondiwindi Regional Council

Application details

Development permit: Material change of use for Accommodation activities (Non-resident workforce accommodation)

Referral triggers

The development application was referred to DSDMIP under the following provisions of the Planning Regulation 2017:

- 10.9.4.2.4.1 State transport corridors and future State transport corridors

No requirements

Under section 56(1)(a) of the *Planning Act 2016*, DSDMIP advises it has no requirements relating to the application.

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

For further information please contact Brittany Hughes, Planning Officer, on (07) 4616 7332 or via email ToowoombaSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Foley'.

Andrew Foley
Manager

cc Carter Brothers Limited, eben.geldenhuis@proterragroup.com.au



Department of
**State Development,
 Manufacturing,
 Infrastructure and Planning**

Department of State Development, Manufacturing, Infrastructure and Planning
Statement of reasons for application 1809-7180 SRA

(Given under section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

Applicant details

Applicant name: Carter Brothers Limited
 C/- Proterra Group

Applicant contact details: 2 Aubigny Street
 Toowoomba QLD 4350
 Via email: eben.geldenhuis@proterragroup.com.au

Location details

Street address: 1102 Barwon Highway, Goodar QLD 4390

Real property description: Lot 3 on RP12440

Local government area: Goondiwindi Regional Council

Development details

Development permit Material change of use for Accommodation activities (Non-resident workforce accommodation)

Assessment matters

Aspect of development requiring code assessment	State Development Assessment Provisions (SDAP), version 2.3, applicable code:
1. Material change of use	State code 1: Development on a state-controlled road (SCR) network.

Reasons for DSDMIP's response:

The reasons for the decision are that the proposed development:

- does not compromise the operation or capacity of existing drainage infrastructure for a SCR
- involves an existing access arrangement that complies with state code 1
- does not impact any planned SCR upgrades
- will not have any impact on the SCR network.

Response:

- Development approval
- No requirements
- Response issued 9 November 2018

Relevant Material:

- Development application
- SDAP published by DSDMIP
- Technical agency response
- *Transport Infrastructure Act 2009*
- *Planning Act 2016*
- Planning Regulation 2017
- Development Application Rules

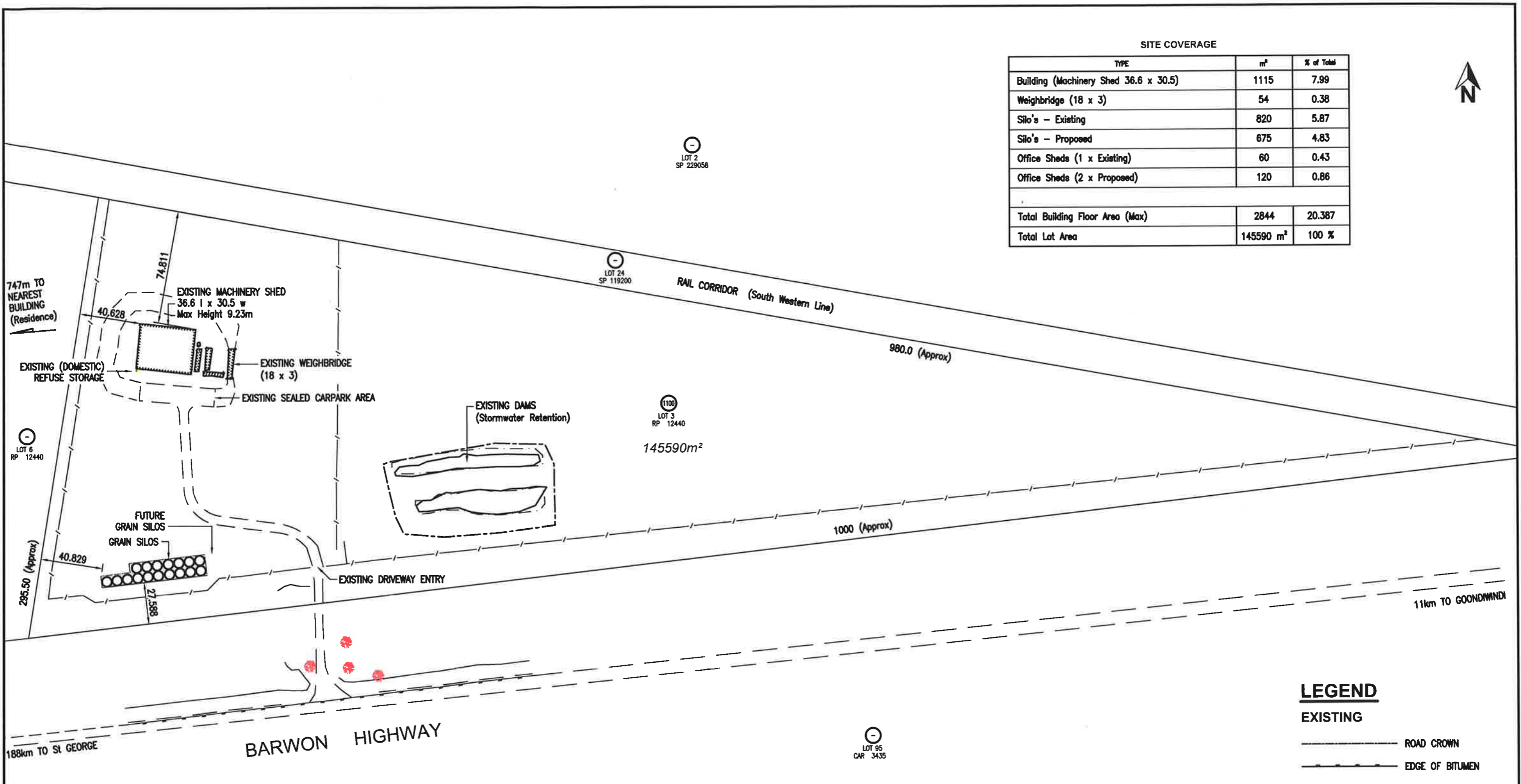


Attachment 2 – Approved Plans



SITE COVERAGE

TYPE	m ²	% of Total
Building (Machinery Shed 36.6 x 30.5)	1115	7.99
Weighbridge (18 x 3)	54	0.38
Silo's - Existing	820	5.87
Silo's - Proposed	675	4.83
Office Sheds (1 x Existing)	60	0.43
Office Sheds (2 x Proposed)	120	0.86
Total Building Floor Area (Max)		2844
Total Lot Area		145590 m²
		100 %



SITE PLAN
SCALE: A

LEGEND

- EXISTING**
- ROAD CROWN
 - EDGE OF BITUMEN
 - EDGE OF GRAVEL
 - TOP OF BANK
 - FENCE
 - → → → TABLE DRAIN INVERT
 - 212.0 CONTOUR MAJOR
 - CONTOUR MINOR
 - TREE

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

Council Reference: 18/2340

Dated: 28 February 2019

Signed: *RMM*

Print Name: Mrs Rennie McMahon
(Under Delegation) ASSESSMENT MANAGER

**AS
CONSTRUCTED**

Rev	By	Description	Approved	Date

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PROTERRA GROUP
31 GLASSER STREET
GOONDIWINDI QLD 4390
ABN: 59 680 055 106
TEL: (07) 4671 5701
WWW.PROTERRAGROUP.COM.AU

DO NOT SCALE FROM THIS DRAWING. USE DIMENSIONS WHERE MARKED

Scales:



1:2500 AT A3

REFER ANY DISCREPANCIES TO ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION			
Designed	EG		04-09-2018
Drafter	jon.s		04-09-2018
Check	EG		04-09-2018
Approved			

SITE PLAN
GRAIN FACILITY
BARWON HIGHWAY
CALLANDOON

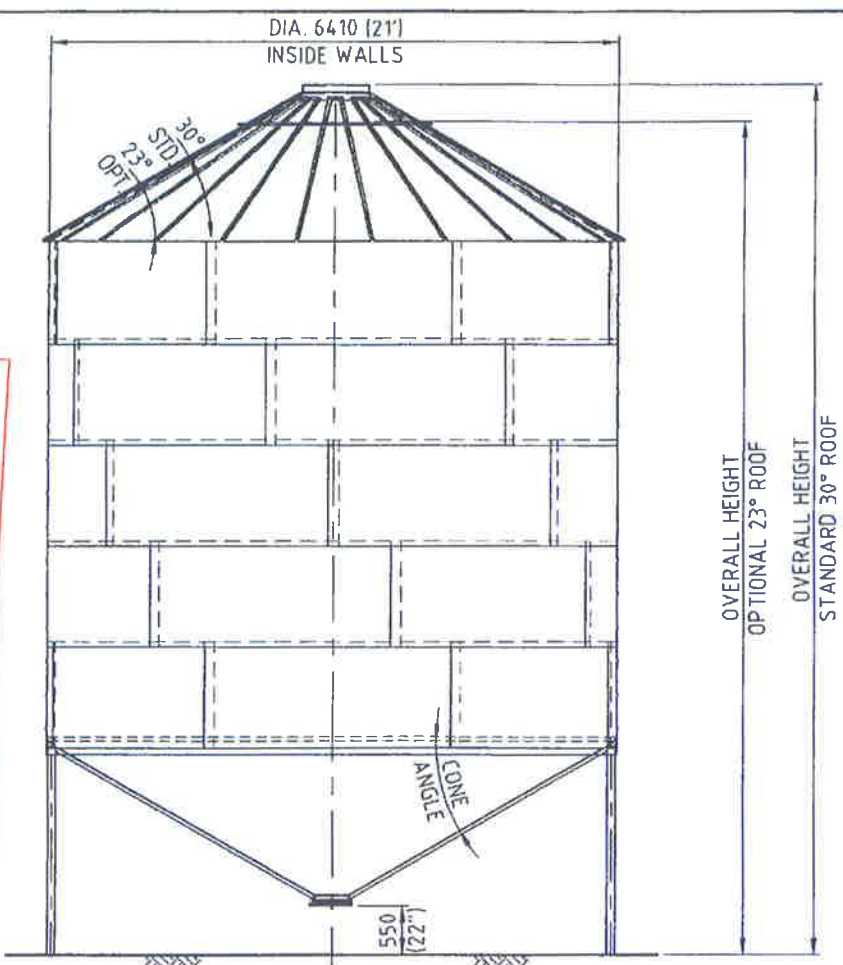
Client: Carter Brothers

Drawing No. 17-658 - 02

Sheet 01 of 02

Revision:

GOONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Council Reference: 18/23W
 Dated: 28 February 2019
 Signed: *RM/MO*
 Print Name: *M.S. Bernie M. Mahon*
 (Under Delegation) ASSESSMENT MANAGER



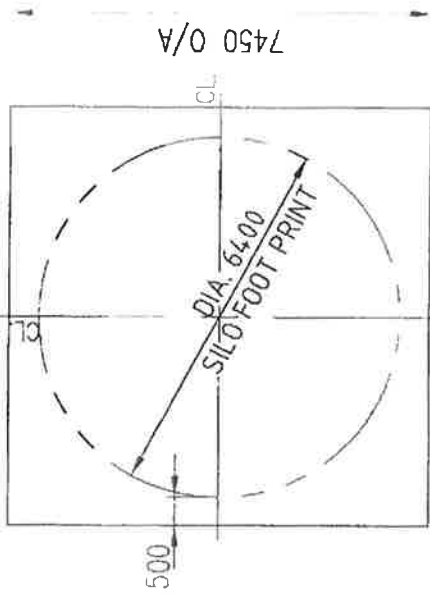
30° CONE BASE				35° CONE BASE				45° CONE BASE			
MODEL	OVERALL HEIGHT		VOLUME M ³	MODEL	OVERALL HEIGHT		VOLUME M ³	MODEL	OVERALL HEIGHT		VOLUME M ³
	FEET	METRES			FEET	METRES			FEET	METRES	
2101-30	23'	16'	4.86	2101-35	23'	17' 2"	5.22	2101-45	23'	20'	6.10
	30'	17' 4"	5.28		30'	18' 6"	5.64		30'	21' 8"	6.52
2102-30	23'	19' 8"	6.00	2102-35	23'	20' 10"	6.36	2102-45	23'	23' 9"	7.24
	30'	21'	6.42		30'	22' 3"	6.78		30'	25' 2"	7.66
2102.5-30	23'	21' 7"	6.57	2102.5-35	23'	22' 9"	6.93	2102.5-45	23'	25' 8"	7.81
	30'	22' 11"	6.99		30'	24' 1"	7.35		30'	27'	8.23
2103-30	23'	23' 5"	7.14	2103-35	23'	24' 7"	7.50	2103-45	23'	27' 6"	8.38
	30'	24' 10"	7.56		30'	26'	7.92		30'	28' 10"	8.80
2103.5-30	23'	25' 4"	7.71	2103.5-35	23'	26' 6"	8.07	2103.5-45	23'	29' 4"	8.95
	30'	26' 8"	8.13		30'	27' 10"	8.49		30'	30' 9"	9.37
2104-30	23'	27' 2"	8.28	2104-35	23'	28' 4"	8.64	2104-45	23'	31' 3"	9.52
	30'	28' 7"	8.70		30'	29' 9"	9.06		30'	32' 7"	9.94
2104.5-30	23'	29'	8.85	2104.5-35	23'	30' 3"	9.21	2104.5-45	23'	33' 1"	10.09
	30'	30' 5"	9.27		30'	31' 7"	9.63		30'	34' 6"	10.51
2105-30	23'	30' 11"	9.42	2105-35	23'	32'	9.78	2105-45	23'	35'	10.66
	30'	32' 3"	9.84		30'	34' 6"	10.20		30'	36' 4"	11.08
2105.5-30	23'	32' 9"	9.99	2105.5-35	23'	34'	10.35	2105.5-45	23'	36' 10"	11.23
	30'	34' 2"	10.41		30'	35' 4"	10.77		30'	38' 3"	11.65
2106-30	23'	34' 8"	10.56	2106-35	23'	35' 10"	10.92	2106-45	23'	38' 9"	11.80
	30'	36'	10.98		30'	37' 3"	11.34		30'	40'	12.22
2106.5-30	23'	36' 6"	11.13	2106.5-35	23'	37' 8"	11.49	2106.5-45	23'	40' 7"	12.37
	30'	37' 11"	11.55		30'	39'	11.91		30'	42'	12.79
2107-30	23'	38' 5"	11.70	2107-35	23'	39' 7"	12.06	2107-45	23'	42' 5"	12.94
	30'	39' 9"	12.12		30'	40' 11"	12.48		30'	43' 10"	13.36
2107.5-30	23'	40' 3"	12.27	2107.5-35	23'	41' 5"	12.63	2107.5-45	23'	44' 4"	13.51
	30'	41' 8"	12.69		30'	42' 10"	13.05		30'	45' 8"	13.93
2108-30	23'	42' 2"	12.84	2108-35	23'	43' 4"	13.20	2108-45	23'	46' 2"	14.08
	30'	43' 6"	13.26		30'	44' 8"	13.62		30'	47' 7"	14.50

GRAINMASTER
 57-75 Industrial Avenue Ph: (07) 4634 6677
 Taowoomba Qld 4350 Fax: (07) 4634 6544
 Australia Web: www.thedaveygroup.com.au

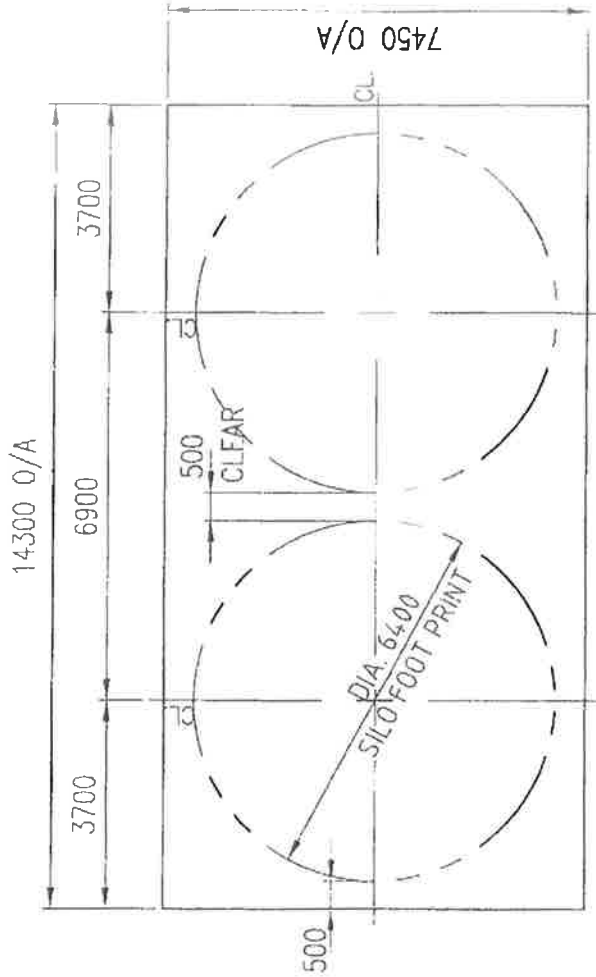
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Drawing Title
 DIA. 21 FT. SILO
 30°, 35°, & 45° BASE/23° & 30° ROOF/550mm CLEAR
 PLANNING-IN DETAILS
 DATE 12.05.09 SCALE N.T.S (A4)
 DRAWING NO. GM-21-PD-01
 REV B SHEET SIZE A4

Installed Silos (2107 - 30)



21 FT. x 1 SLAB PLAN
SCALE 1:125



21 FT. x 2 SLAB PLAN
SCALE 1:125

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 18/23w
Dated: 28 February 2018
Signed: *R.M. [Signature]*
Print Name: Mrs Rennie McMahon
(Under Delegation) ASSESSMENT MANAGER

FOR CONCRETE SLAB PLAN & FOOTING SECTION OF A.4
REFER TO DRG. GM-SC-CS -02

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DO NOT SCALE DRAWING. DIMENSIONS IN MILLIMETRES.

Drawing Title: 21 FT. SILO 1 & 2 CONCRETE SLAB LAYOUT PLANS

DATE: 13.05.09
SCALE: 1:100 (A4)

PROJECT NO.: GM-21-SC-CS-03
A A4

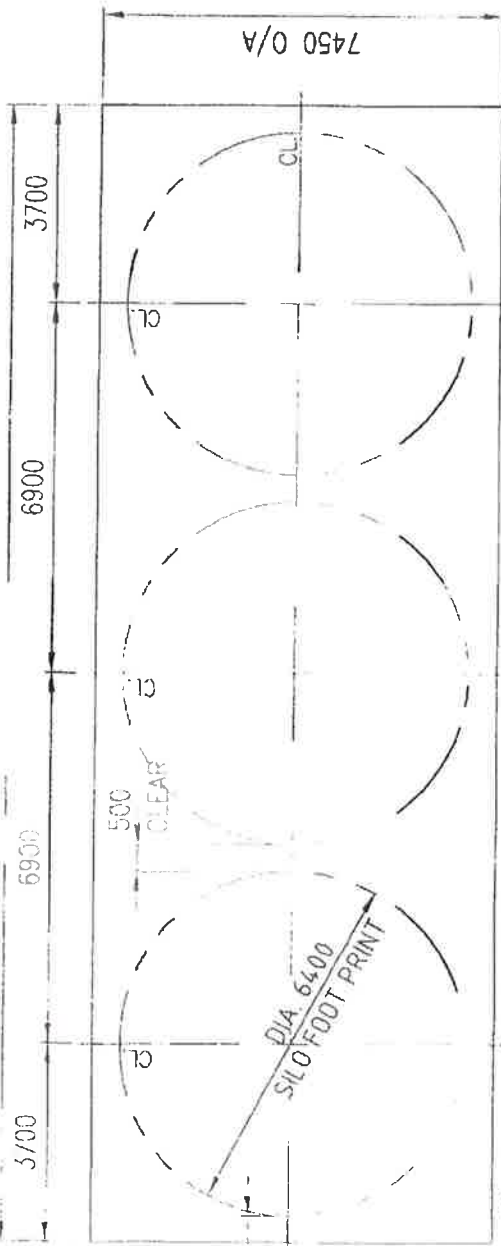
GRAINMASTER

57-75 Industrial Avenue
Toowoomba Qld. 4350
Australia.

Ph: (07) 4634 6677
Fax: (07) 4634 6544
Web: www.threevegroup.com.au

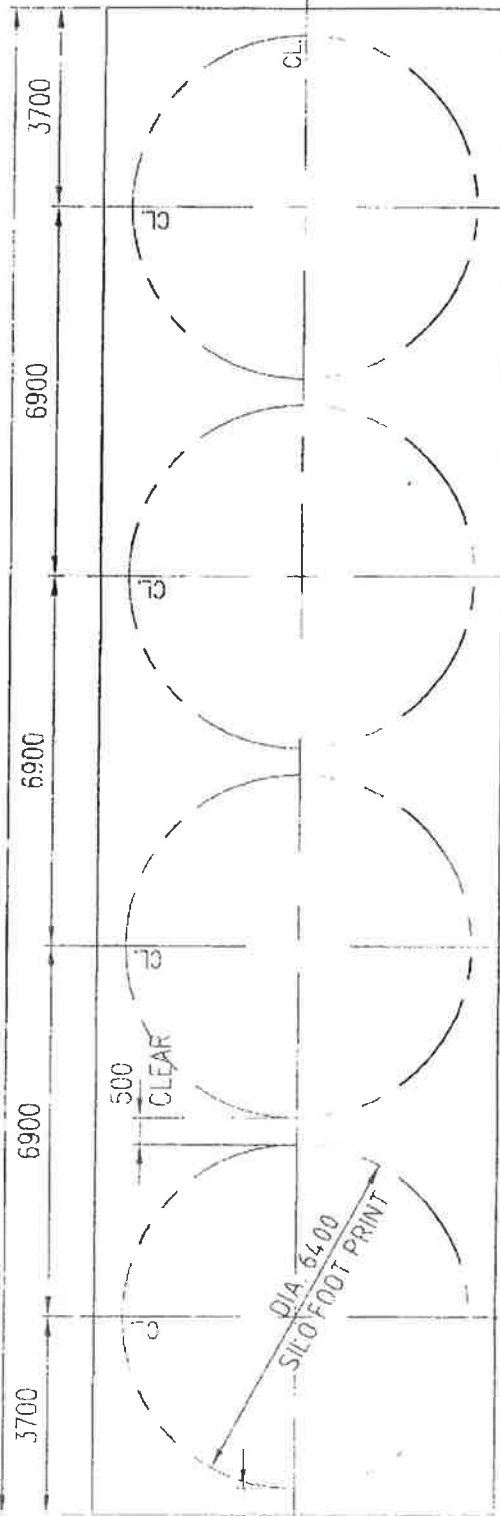
REVISION	DATE	DRAWN
A	20.05.09	MWE
ISSUE FOR INFORMATION		
DETAILS		

2700 O/A



21 FT. x 3 SLAB PLAN
SCALE 1:125

28100 O/A

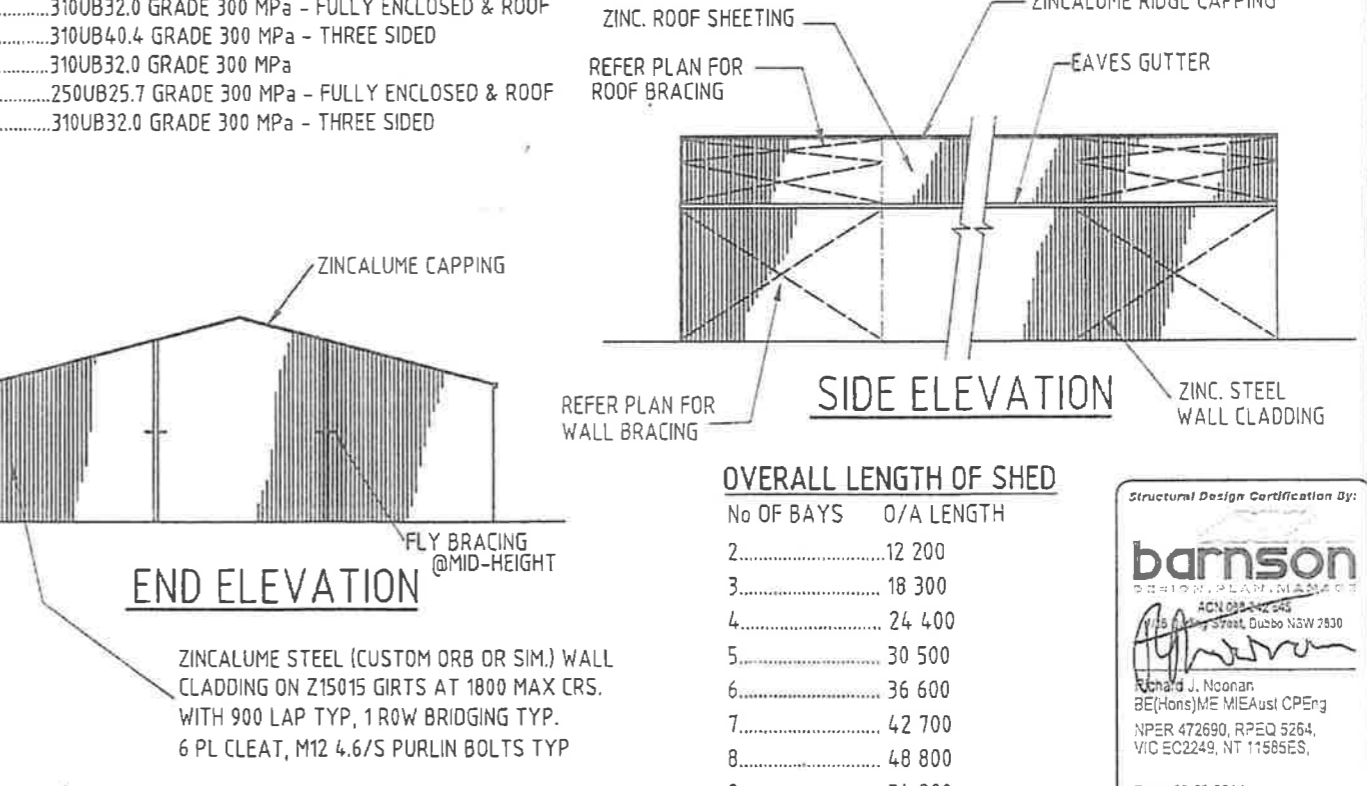
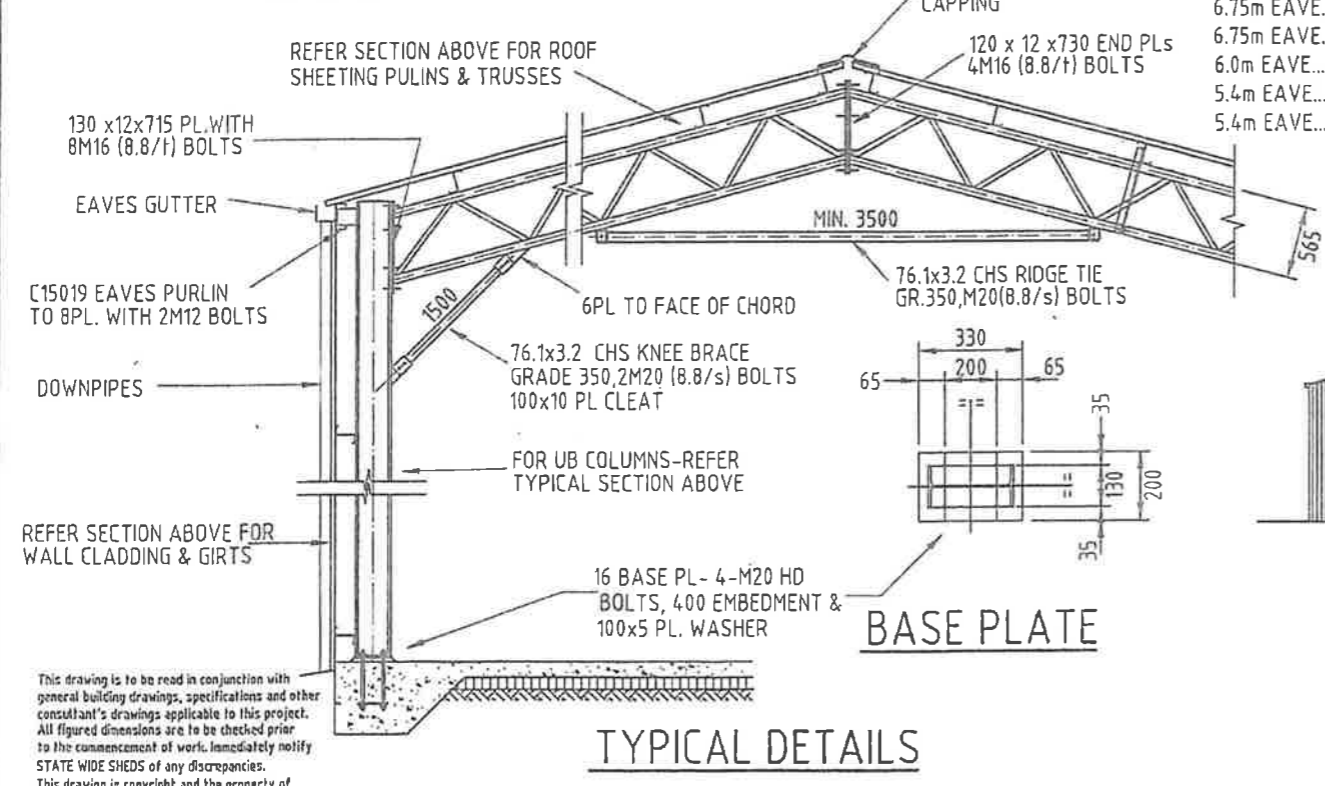
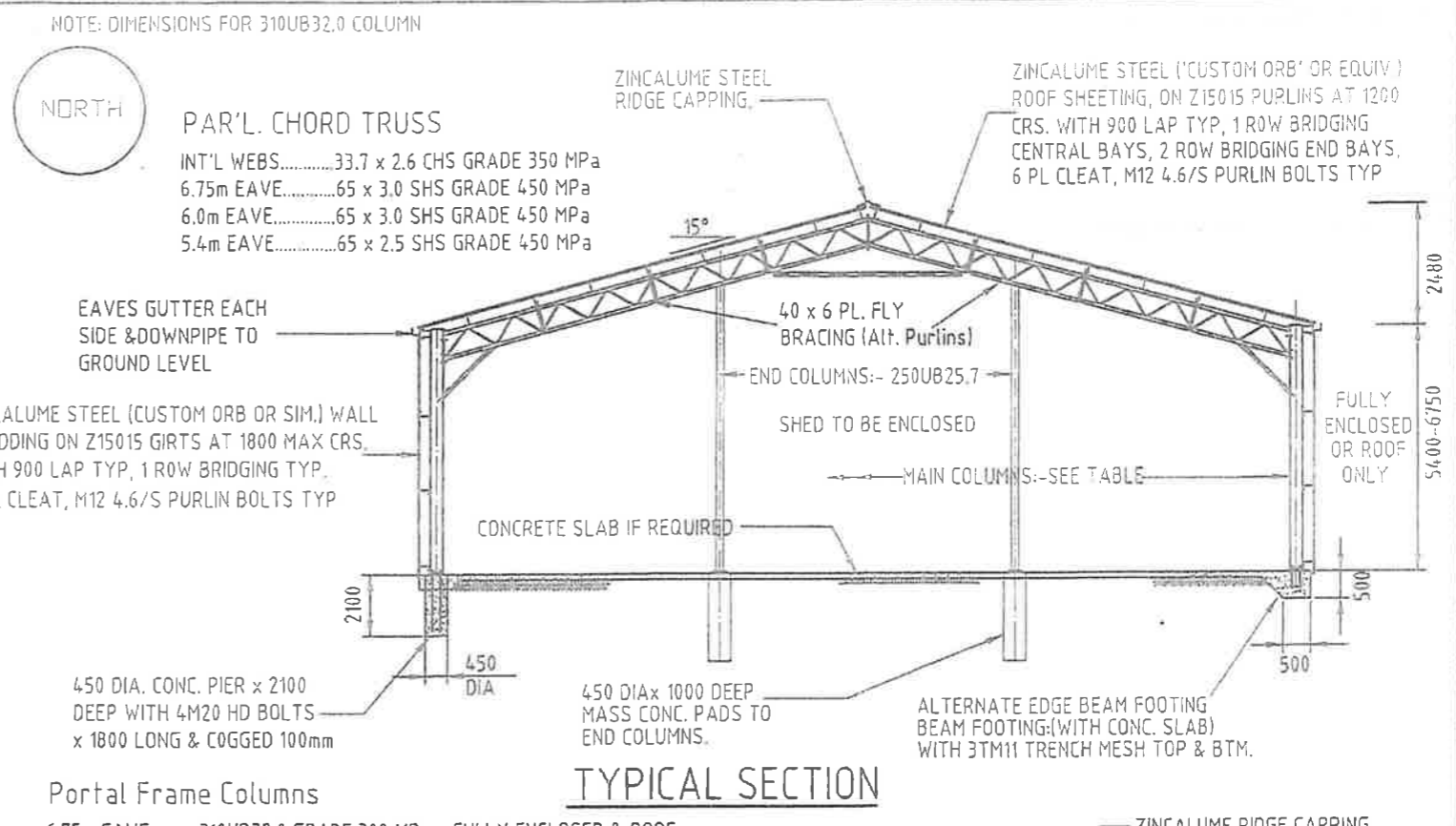
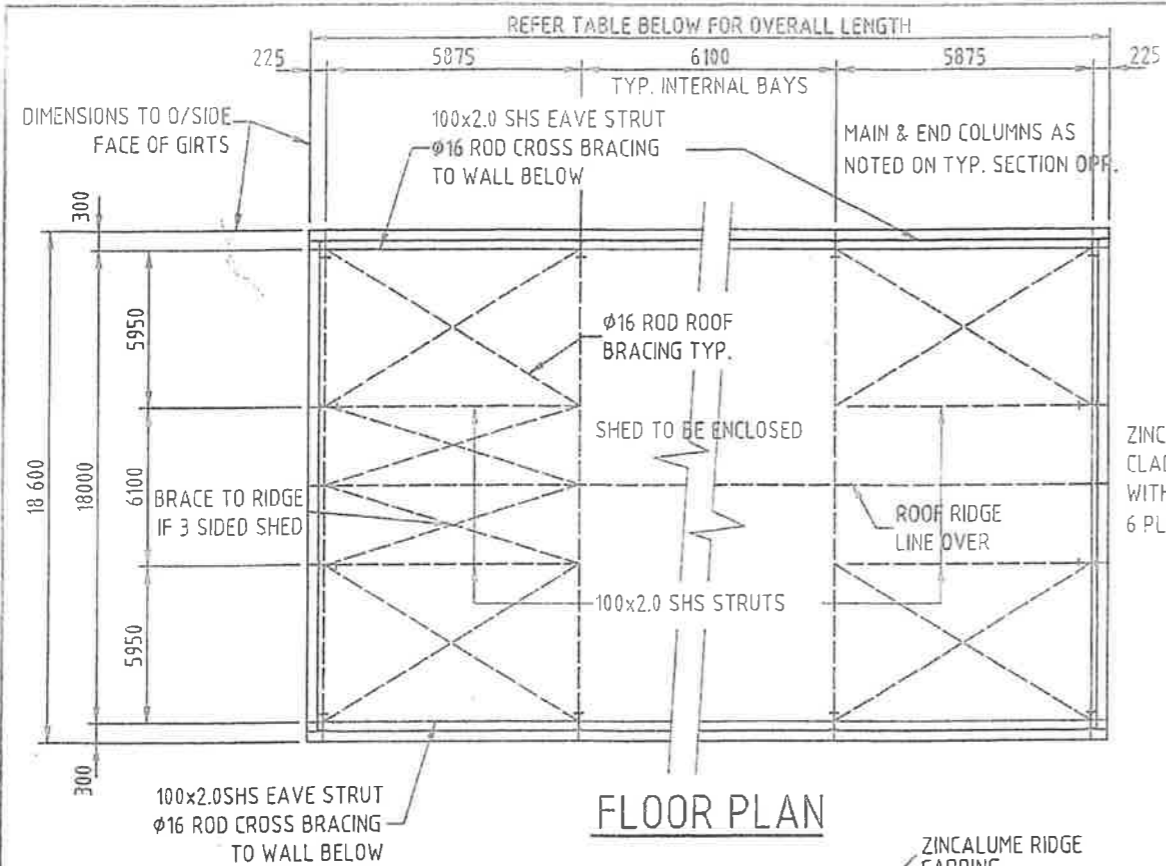


21 FT. x 4 SLAB PLAN
SCALE 1:125

GOONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Council Reference: 18/23.W
 Dated: 28 February 2019
 Signed: R.M. [Signature]
 Print Name: Mrs Renae Widdowson
 (Under Delegation) ASSESSMENT MANAGER

FOR CONCRETE SLAB PLAN & FOOTING SECTION DIA 6
 REFER TO DRG. GM-SC CS -02

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	GRAINMASTER 57-75 Industrial Avenue Toowoomba Qld. 4350 Australia Ph: (07) 4634 6677 Fax: (07) 4634 5544 Web: www.thedayvegroup.com.au	DRAWING NO. GM-21-SC-CS-04	SHEET NO. 1 OF 1



OVERALL LENGTH OF SHED

No OF BAYS	O/A LENGTH
2	12 200
3	18 300
4	24 400
5	30 500
6	36 600
7	42 700
8	48 800
9	54 900

Structural Design Certification by:

barnson
DESIGN, PLAN, MAKE & SET

ACN 098 424 045
115 Railway Street, Dubbo NSW 2830

Richard J. Noonan

Richard J. Noonan
BE(Hons)/ME MIEAust CPEng
NPER 472690, RPEQ 5264,
VIC EC2249, NT 11585ES.

Date: 28/03/2014
Reference No: 21137

A3

REV.	DATE	DESCRIPTION	APP.
D	28.03.14	ISSUE FOR CONSTRUCTION	RN
C	12.03.14	ISSUE FOR APPROVAL	RN
B	11.03.14	PRELIMINARY	RN
A	7.03.14	PRELIMINARY	RN

DATE: March '14
DESIGN: RN
DRAWN: SF

NOTE: REFER TO STATE WIDE STANDARD SPECIFICATION DRAWINGS / FOR FURTHER DESIGN DETAILS

TITLE:
FLOOR PLAN, ELEVATIONS
AND STRUCTURAL DETAILS

18m SPAN--STEEL FRAMED SHED
Region A-Cat. 2; 5.4-6.75m EAVES
UB Columns-Parallel Chord Truss
For _____

Drawing No. _____

STATE WIDE SHEDS
LOT 3 PURVIS LANE DUBBO 2830
Ph.(02)6884 4355 Fax (02)6884 2442

DRAWING No.
21137-S01

GOONDIWINDI REGIONAL COUNCIL

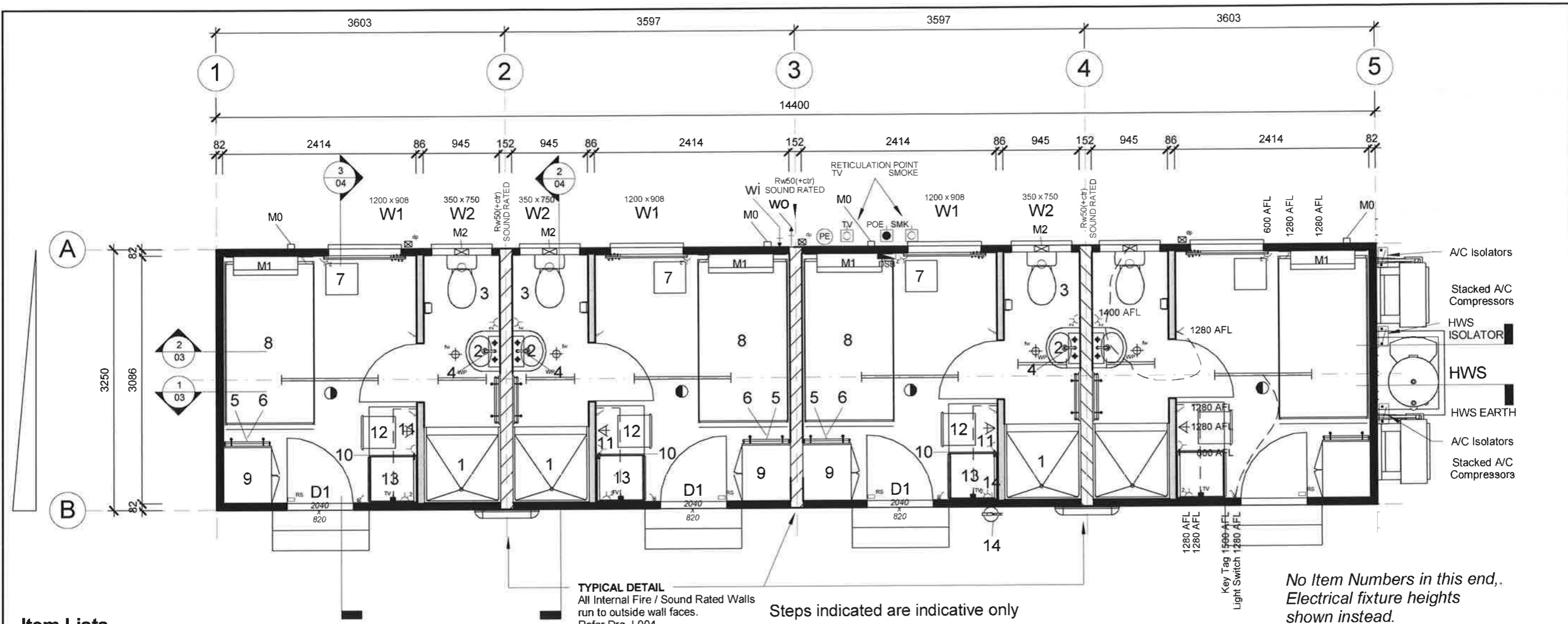
Approved Plan referred to in Council's Decision Notice

Council Reference: 1863W

Dated: 28 February 2019

Signed: 

Print Name: Mrs. Ronnie McMathison
(Under Delegation) ASSESSMENT MANAGER



Item Lists

- 1 945 x 945 Fibreglass shower cubicle / Curtain. 3 Star WELS
- 2 Hand Basin VC - NOVATEC CARA inc. overflow & PVC Waste - N204W-3TH. Two Taps and Spout.
- 3 WC Suite c/w toilet roll holder
- 4 Shaving Cabinet c/w 2 mirrored doors
- 5 Towel Rail - 600w
- 6 Two Coat Hooks on Timber Rail x 600w
- 7 395w x 390d x 590h Bedside Three Drawer Unit
- 8 King single bed c/w innerspring mattress
- 9 1800h x 800w x 600d Robe c/w Shelves & Hanging Space
- 10 Step Desk
- 11 Shelving Over Desk - 1200mm Long Open
- 12 Steel framed stacker chair
- 13 Bar Fridge - WESTINGHOUSE - WRM1300WC - 130 litre
- 14 Fire Extinguisher - 9.0kg ABE c/w Signage
- dp Dropper only, for 100 x 75mm Downpipe
- fw Floor Waste
- HWS Rheem Heat Pump 325 Litre/3.6kW -MPi - mounted externally
- wi Plumbing - Water Inlet c/w Line Strainer
- wo Plumbing - Waste Manifold Outlet

Item Lists

- D1 2040 x 820 External Door - Standard : Hollow Core MC
- D2 2040 x 720 Internal Door - Standard : Hollow Core
- W1 1200 x 908 Sliding Glass Window Grey Glass
- W2 350 x 750 Sliding Glass Window Obscure Glass
- M0 A/C Vertical Two Piece Cover
- M1 2.5kW R/C Split System Air Conditioner - Hybrid - Inverter
- M2 Wall Mounted Exhaust Fan

HIRE STRUCTURAL NOTES for Reg. C Cat. 2 - Minimum Design Criteria

Dead and Live Windloads in accordance with the latest version of AS1170.2
 Wind Region: C - Terrain Category: 2
 Strength Design Wind Speed: $V_u = 54\text{m/s}$
 Serviceability Wind Speed: $V_s = 35.1\text{m/s}$
 Shielding Multiplier: 1.0 Topographic Multiplier: 1.0
 Earthquake Loads in accordance with the latest version of AS1170.4

WINDOW SPECIFICATION

ULS (ULTIMATE) - 4.44kPA
 SLS (SERVICEABILITY) - 1.33kPA
 WATER PENETRATION - 450PA

TYPICAL DETAIL
 All Internal Fire / Sound Rated Walls run to outside wall faces.
 Refer Drg. L004

Steps indicated are indicative only

Waste manifold to discharge backside centre

NOTE: Water Inlet at backside centre

Notes

- Building designed in accordance with Queensland Development Code (QDC) MP3.3 - Temporary accommodation buildings and structures.
- Smoke Alarms and TV Outlets are reticulated to common point.
- Exhaust fan and light in ensuite to be operated from same switch

Energy Efficiency Notes

- The design above is compliant for climate zones 1 & 3 for all orientations. Any changes to windows and/or external door sizes, quantity or locations will require re-submission for energy efficiency compliance.
- Under floor insulation not required under section P2 of QDC MP3.3 - Temporary Accommodation Building and Structures
- For climate zones other than 1 & 3, energy efficiency calculation is subject to geographic location & site orientation.

Symbol Legend

- DSB Distribution Switchboard
- POE - Point Of Entry
- Light switch
- Two-way light switch
- Light switch - IPX5 rated
- Isolation Switch
- 10amp Single GPO
- 10amp Double GPO
- 15amp Single GPO.
- 10amp GPO - IPX5 rated
- 20amp Single GPO
- Indicates floor mounting
- Indicates ceiling mounting
- Comms. - Draw wire only
- 'F' Type television outlet
- 240V Smoke detector
- 36w Single fluorescent light
- 36w Double fluorescent light
- 36w Emergency back-up fluorescent light
- 36w Single fluorescent light - IP65 rated
- Emergency exit light
- Oyster Light - 11W Round Fluro
- External light
- 18W Single Vandalite
- Oyster light
- Photo electric light switch
- Spot light
- PLUMBING - Water Inlet Point
- PLUMBING - Waste Manifold Outlet Point

No Item Numbers in this end,
 Electrical fixture heights shown instead.

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	ATCO STRUCTURES & LOGISTICS PTY. LTD. 149-151 MAGNESIUM DRIVE, CRESTMEAD, QLD 4132 P.O. BOX 1171, BROWNS PLAINS BC, QLD 4118 E-mail: atcosales@atcoosl.com.au		PHONE: (07) 3412 8600 FAX: (07) 3803 0175 ABN: 71 063 902 309		

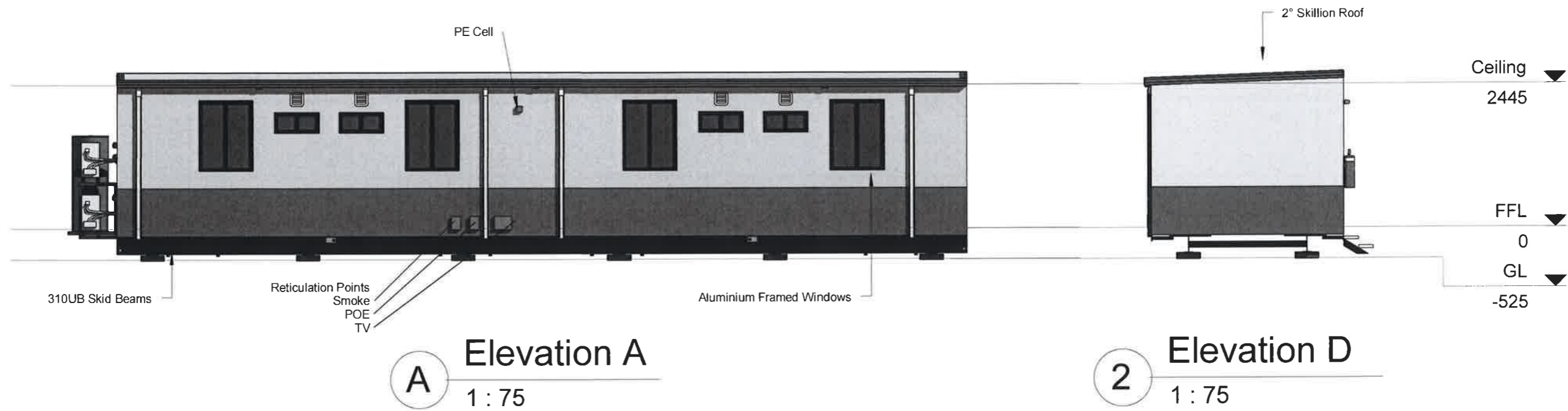
GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice

Council Reference: 15/2363

Dated: 26 February 2014

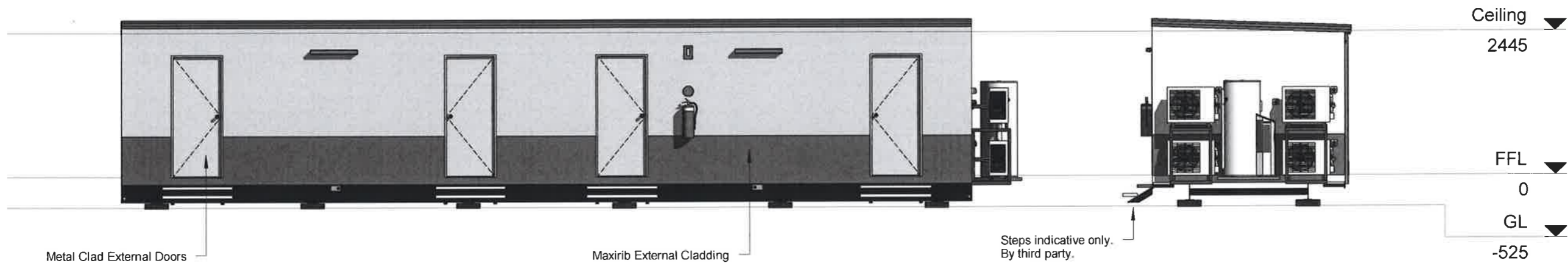
Signed: *RM/M*

Print Name: Mrs Romie Nicholson
(Under Delegation) ASSESSMENT MANAGER



A Elevation A
1 : 75

2 Elevation D
1 : 75



B Elevation B
1 : 75

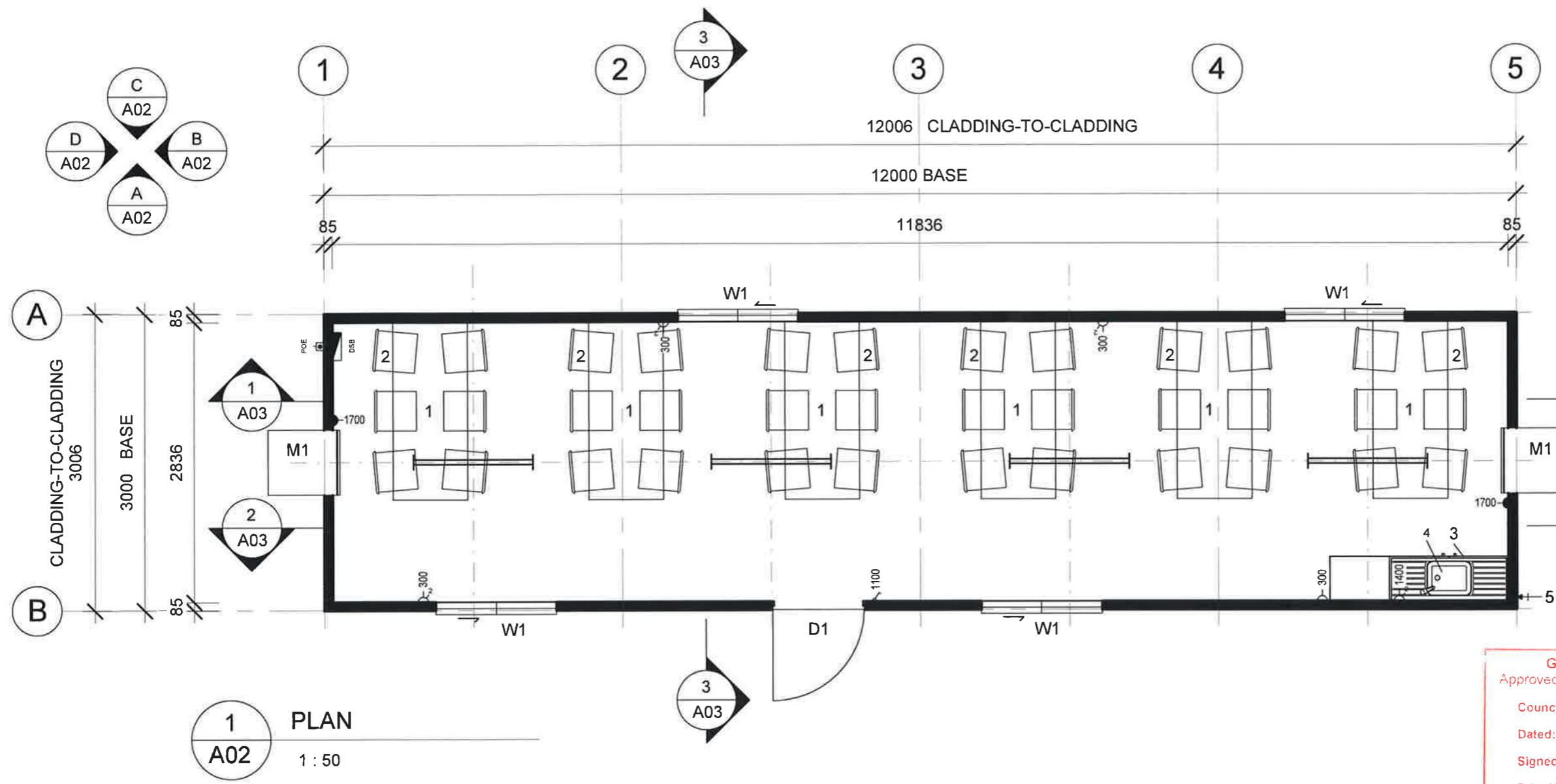
1 Elevation C
1 : 75

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 19/2340
Dated: 28 February 2014
Signed: *RMM*
Print Name: Mrs Rennie McAlahan
(Under Delegation) ASSESSMENT MANAGER

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	14.4 x 3.25m VIP Four Person ATCO Structures & Logistics Ltd. Workforce Housing Hire Specification QDC Compliant (MP3.3)	SCALE	1 : 75		Elevations	NCC BUILDING CLASS	3	IMP. LEVEL	2
		DRAWN	RA		DRAWING NUMBER	REVISION	G	SHEET SIZE	A3
		CHECKED	TK		V-314a-H-C2 -02				

WIND REGION:	B
TERRAIN CATEGORY:	2
IMPORTANCE LEVEL:	2
SHIELDING FACTOR:	NS
BUILDING CLASS:	5
FLOOR LOADS	DISTRIBUTED (kPa): 3.0
	CONCENTRATED (kN): 2.7
CLIMATE ZONE:	N/A

FLOOR LOADS CALCULATED FROM AS1170.1 - 2002. WIND SPEED CALCULATED FROM AS1170.2 - 2011. BUILDING CLASS, IMPORTANCE LEVEL, PROBABILITY OF EXCEEDANCE, WIND REGION, TERRAIN CATEGORY, TOPOGRAPHIC CLASSIFICATION, SHIELDING FACTOR, CLIMATE ZONE & NORTH POINT ARE ASSUMED UNLESS OTHERWISE ADVISED BY CLIENT.



1 PLAN
A02 1 : 50

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 18/23w
Dated: 28 February 2019
Signed: *R.M. McElhin*
Print Name: Mrs. Ronnie McElhin
(Under Delegation) ASSESSMENT MANAGER

FINISHES SCHEDULE

FLOOR COVERING	1.5mm VINYL - 150mm COVERED
CLADDING - EXTERNAL	COLORBOND MAXIRIB - HORIZONTAL
LINING - INTERNAL	3.6mm POLYESTER COATED PLYWOOD
CEILING LINING	3.6mm COATED PLYWOOD
ROOF SHEETING	0.42mm BMT SUPERDEK ROOFING

ITEM	QTY	DESCRIPTION	DOOR PANEL	CLOSER
D1	1	DOOR, EXTERNAL, SINGLE - 2040 x 920	HOLLOW CORE MC	No
W1	4	WINDOW, SLIDING GLASS - 900 x 1208		
M1	2	AIR CONDITIONER, R/C, WALL MOUNTED - 3.99kW		
1	6	TABLE, MELAMINE - 1800L x 750W		
2	36	CHAIR, PVC STACKER		
3	1	CUPBOARD, MELAMINE w/ EXTENDED TOP - 1200mm SINK		
4	1	SINK, STAINLESS STEEL - 1200x450		
5	1	WATER INLET		

SYMBOL LEGEND

	DISTRIBUTION SWITCHBOARD		TELEVISION OUTLET - 'F' TYPE
	ELECTRICAL POINT OF ENTRY		SMOKE DETECTOR - 240V
	SINGLE LIGHT SWITCH		28W SINGLE T5 FLUORESCENT LIGHT
	TWO WAY LIGHT SWITCH		28W SINGLE T5 FLUORESCENT LIGHT WITH DIFFUSER
	SINGLE LIGHT SWITCH - IPX5		28W DOUBLE T5 FLUORESCENT LIGHT
	ISOLATION SWITCH		28W DOUBLE T5 FLUORESCENT LIGHT WIRE GUARD
	10 AMP SINGLE GPO		28W DOUBLE T5 FLUORESCENT LIGHT - IP65 RATED
	10 AMP DOUBLE GPO		10W SPITFIRE EMERGENCY EXIT LIGHT
	15 AMP SINGLE GPO		EMERGENCY EXIT LIGHT
	10 AMP SINGLE GPO - IPX5 RATED		EXTERNAL LIGHT
	20 AMP SINGLE GPO		18W SINGLE VANDALITE
	- INDICATES FLOOR MOUNTING		PHOTOELECTRIC LIGHT SWITCH
	- INDICATES CEILING MOUNTING		PLUMBING WATER INLET POINT
	DRAW WIRE - 'D' DENOTES DATA		PLUMBING WASTE MANIFOLD OUTLET POINT

REV	DESCRIPTION	DATE	BY	CHKD
0	APPROVED ISSUE FOR USE	28.07.15	JC	MW

CONFIRM DETAILS OF SET OUTS, LEVELS AND CRITICAL DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS AND FABRICATION

QUALITY CERTIFIED TO AS/NZS ISO 9001:2008 BY SCI-QUAL INTERNATIONAL REGN No. 531

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ALL CONSTRUCTION TO COMPLY WITH NATIONAL CONSTRUCTION CODE OF AUSTRALIA AND APPLICABLE AUSTRALIAN STANDARDS

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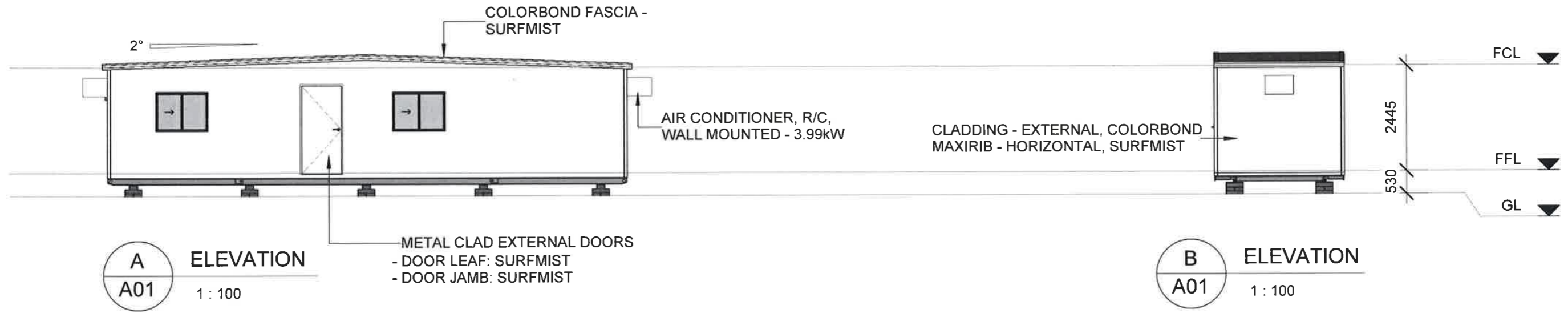
ATCO Structures & Logistics

ATCO STRUCTURES & LOGISTICS PTY. LTD.
149-151 MAGNESIUM DRIVE, CRESTMEAD, QLD 4132
P.O. BOX 1171, BROWNS PLAINS BC, QLD 4118
E-mail: atcosales@atco.com.au

PHONE: (07) 3412 8600
FAX: (07) 3803 0175
ABN: 71 083 902 389

CLIENT	STANDARD SALE SPECIFICATION
DESCRIPTION	12.0 x 3.0m LUNCHROOM
ADDRESS	-

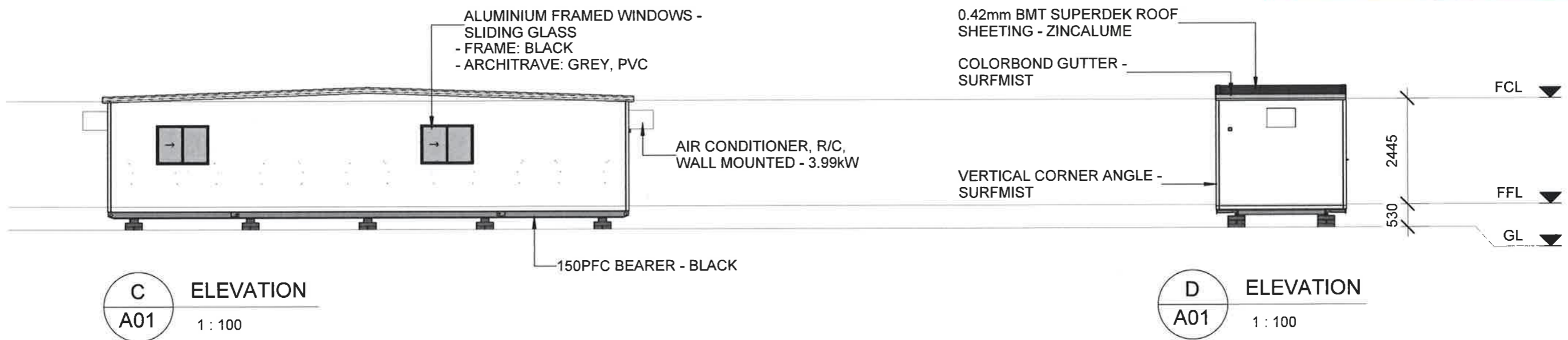
TITLE	PLAN
PROJECT No	-
SCALE	As indicated
DRAWING NUMBER	LR-036-S-A01
REVISION	0



A
A01
ELEVATION
1 : 100

B
A01
ELEVATION
1 : 100

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 18/23w
Dated: 28 February 2019
Signed: *Rennie Mantaban*
Print Name: Mrs Rennie Mantaban
(Under Delegation) ASSESSMENT MANAGER



C
A01
ELEVATION
1 : 100

D
A01
ELEVATION
1 : 100

REV	DESCRIPTION	DATE	BY	CHKD
0	APPROVED ISSUE FOR USE	28.07.15	JC	MW

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PHONE: (07) 3412 8600
FAX: (07) 3803 0175
ABN: 71 083 902 309

CLIENT	STANDARD SALE SPECIFICATION
DESCRIPTION	12.0 x 3.0m LUNCHROOM
ADDRESS	-

TITLE ELEVATIONS	
PROJECT No	-
SCALE AT A3	1 : 100
DRAWING NUMBER	LR-036-S-A02
REVISION	0



Attachment 3 – Infrastructure Charges Notice





Goondiwindi Customer Service
Centre
4 McLean 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	"Passchendaele", 1100 Barwon Highway, Goodar
Owner	A & M Carter Pty Ltd
Applicant	Carter Brothers Pty Ltd C/- Proterra Group
Application No.	18/23W
Lot and Survey Plan	Lot 3 on RP12440
Date	28 February 2019
Approval	Development Permit – Material Change of Use

Development Application Details
<p><i>"Industry activities" – Low impact industry (Grain storage & distribution) and "Transport depot" (Machinery storage shed), "Business activities" – "Office", and "Accommodation activities" – "Caretaker's accommodation" and "Non-resident workforce accommodation"</i></p>

Type of Charge	Charge Area (A, B, C, D or E)	Type of Charge	Charge Amount (\$)	Unit	Total Charge (\$)
Low impact industry	E	Water, sewerage, transport and parks	2.45 per m ² of GFA	1,115m ²	2,731.75
		Stormwater	0.00 per m ² for all impervious area	1,115m ²	0.00
Office	E	Water, sewerage, transport and parks	2.45 per m ² of GFA	60m ²	147
		Stormwater	0.00 per m ² for all impervious area	60m ²	0.00
Caretaker's accommodation	E	Water, sewerage, transport and parks	864 per each 2 or less bedroom dwelling	1 additional Dwelling Unit	864
Short term accommodation	E	Water, sewerage, transport and parks	1,080 per each suite with 3 or more bedrooms	2 sets of 3 rooms	2,160




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Fax: 07 4671 7433

Email: mail@grc.qld.gov.au

Due Date	When the change of use happens	Total Charge (\$)	5,902.75
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	28 February 2025		

Authorised by: 

An offset has been applied to this notice for existing areas, at the rate of \$2.45 per m² of GFA, \$864 per dwelling unit and \$1,080 per suite of 3 or more bedrooms.

Print Name: **Mrs Ronnie McMahon**
Manager of Planning Services

In accordance with the Planning Act 2016

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 "*Industry activities*" – "*Low impact industry*" (Grain storage & distribution) and "*Transport depot*" (Machinery storage shed), "*Business activities*" – "*Office*", and "*Accommodation activities*" – "*Caretaker's accommodation*" and "*Non-resident workforce accommodation*"

18/23W

"Passchendaele", 1100 Barwon Highway, Goodar

Lot 3 on RP12440

On 27 February 2019, 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 Goondiwindi Region Planning Scheme 2018 and the relevant facts and circumstances, the proposed development was approved subject to appropriate, relevant and reasonable conditions at the Ordinary Meeting of Council held on 27 February 2019. Conditions have been included that address concerns raised by the submitter in the properly made submission received by Council.*

2. Assessment benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Rural Zone Code	<i>Goondiwindi Region Planning Scheme 2018:</i> AO1, AO2, PO4, AO5.1, AO5.2
Rural Zone Code Purpose	<i>Goondiwindi Region Planning Scheme 2018:</i> Outcome 1, Outcome 2
Transport and Infrastructure Code	<i>Goondiwindi Region Planning Scheme 2018:</i> AO1, AO2, AO3.2, AO4.2, AO5.1, AO5.2, AO6, AO7, AO8, AO9, AO10, AO12.1, AO13, PO15
Transport and Infrastructure Code Purpose	<i>Goondiwindi Region Planning Scheme 2018:</i> Outcome 1, Outcome 2
Accommodation Activities Code	<i>Goondiwindi Region Planning Scheme 2018:</i> AO2.1, AO2.2

Benchmarks applying for the development	Benchmark reference
Flood Hazard Overlay Code	<i>Goondiwindi Region Planning Scheme 2018:</i> PO1, PO2, PO4
Infrastructure Overlay Code	<i>Goondiwindi Region Planning Scheme 2018:</i> AO5.1, AO5.2
Natural Resources Overlay Code	<i>Goondiwindi Region Planning Scheme 2018:</i> PO5, PO6, PO7, PO8
Bushfire Hazard Overlay Code	<i>Goondiwindi Region Planning Scheme 2018:</i> PO1, AO3, AO4, AO5, AO6.1, PO7, PO8
Strategic Framework	<i>Goondiwindi Region Planning Scheme 2018:</i> Element 1, Element 2, Element 3, Element 4, Element 5, Element 6, Element 7

3. Compliance with benchmarks

Not applicable, as the proposed development complied with all applicable benchmarks.

4. Relevant matters for impact assessable development

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)	Benchmark reference	Assessment carried out against or assessment had regard to
Rural Zone Code Purpose of the <i>Goondiwindi Region Planning Scheme 2018</i>	Section 6.2.9.2 – Outcomes 1 and 2	<input checked="" type="checkbox"/> assessed against <input type="checkbox"/> had regard to
Transport and Infrastructure Code Purpose of the <i>Goondiwindi Region Planning Scheme 2018</i>	Section 9.4.4.2 – Outcomes 1 and 2	<input checked="" type="checkbox"/> assessed against <input type="checkbox"/> had regard to
Strategic Framework of the <i>Goondiwindi Region Planning Scheme 2018</i>	Part 3 – Elements 1 - 7	<input checked="" type="checkbox"/> assessed against <input type="checkbox"/> had regard to

5. Matters raised in submissions for impact assessable development

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
Works being the subject of this development application already carried out.	A complaint was made to Council regarding the activities being carried out on the subject site. The property owners were issued with a soft letter from Council on 13 June 2017, and subsequently a meeting was held on 23 June 2017 to discuss the matter. As no action had been taken, another letter was issued to the owners on 13 March 2018. A response to this second letter was received from Proterra Group on 28 March 2018, advising that they were working with the property owners on the necessary development application. The application was lodged with Council on 15 August 2018.
The development will devalue the submitters property by the activities carried out having a negative impact on the general lifestyle of living on acreage out of town.	The devaluation of property is not considered to be a town planning matter.

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
Noise from the operation of the business.	Conditions have been included as part of the approval to reduce noise impacts. Operating hours have also been conditioned as part of the approval.
Dust from the operation of the business.	Conditions have been included as part of the approval to reduce dust impacts. In particular, the construction of vehicle manoeuvring areas has been conditioned.
Unightly silos and other structures affecting what was otherwise a tranquil rural scene.	The maintenance and retention of the existing landscaping on site has been conditioned as part of the approval.
Effect of lights on the submitters property, from both vehicle lights and lights fixed to illuminate the silos.	Conditions have been included as part of the approval to reduce lighting impacts.
Spilt grain on site and the nuisance from Corella and Cockatoos that are attracted to the site by spilt grain.	While the control of bird life is not considered to be a town planning matter, conditions have been included in the approval that the site is to be kept in a clean and tidy manner.

6. Matters prescribed by Regulation/

Not application for this proposed development.



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:	
File Number:	
Property Address:	

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.