



Our Reference: IDAS 21/01
Your Reference: J000917

16 April 2021

Jaybrad Holdings Pty Ltd
C/- Kristy Gilvear, Gilvear Planning Pty Ltd
PO Box 228
Babinda QLD 4861
Email: kristy@gilvearplanning.com.au

Dear Kristy,

Decision Notice (Deemed Approval) Given under section 64 of the Planning Act 2016

With reference to the abovementioned Development Application, a Deemed Approval Notice was received by the applicant under section 64 of the *Planning Act 2016* on 9 April 2021. Please find attached the relevant Decision Notice (Deemed Approval).

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	IDAS 21/01
Street Address:	24 Milman Street, Thursday Island
Real Property Description:	Lot 1 on RP882187
Planning Scheme:	<i>Torres Shire Planning Scheme 2007</i> (Version Amendment 1 – 19 January 2016)

DECISION DETAILS

Council, on 9 April 2021, received an application for a deemed approval, which is taken to be the decision date for the following type of approval:

Development Permit for Material Change of Use – Multiple Dwelling Units (Four (4) Townhouses)

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*.)

ASSESSMENT MANAGER CONDITIONS

This approval is subject to the conditions in Attachment 1.

REFERRAL AGENCIES

Not applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

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

1. Development Permit for Building Works
2. Development Permit for Plumbing and Drainage Works

PROPERLY MADE SUBMISSIONS

Not applicable

REASONS FOR THE DECISION

There is a community and economic need for the development, having regard to the following:

- The development will be located in an area zoned for residential purposes and the scale and intensity of the use is consistent with the outcomes of the zone.
- No significant environmental residential impact is resultant from the development.
- The development is serviceable by urban infrastructure.
- The proposal achieves the desired environmental outcomes of the *Torres Shire Planning Scheme 2007* and does not present any non-compliance that cannot be overcome by condition of approval.
- The proposal will cater for the growing demand for residential housing need in the region in a locality that is serviced and well situated amongst the existing township on Thursday Island.
- Infrastructure Charges will be applied in this case.

OTHER REQUIREMENTS UNDER SECTION 43 OF THE *PLANNING REGULATION 2017*

Not applicable

APPROVED PLANS AND SPECIFICATIONS

The approved plans are attached to this Decision Notice and issued under separate cover.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

For further information, please contact Torres Shire Council on (07) 4069 1336.

Yours faithfully



Dalassa Yorkston
Chief Executive Officer

- Enc. **Attachment 1** – Conditions imposed by the Assessment Manager
Attachment 2 – Approved Plans
Attachment 3 – Infrastructure Charges Notice
Attachment 4 – Notice about a Decision Notice
Attachment 5 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*).

ATTACHMENT 1 – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

24 Milman Street, Thursday Island

1.0 PARAMETERS OF APPROVAL

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer at all times unless otherwise stated.
- 1.2 Where these conditions refer to “TSC” in relation to requiring Torres Shire Council to approve or be satisfied as to any matter, or conferring on the TSC a function, power or discretion, that role of the TSC may be fulfilled in whole or in part by a delegate appointed for that purpose by TSC.
- 1.3 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.4 Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant TSC policies, guidelines, standards, and the FNQROC Development Manual.
- 1.5 An Engineer’s Certificate of Construction must be signed and submitted to TSC by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) verifying that all works have been carried out in accordance with the relevant standards and drawings, conditions and specifications contained herein.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit.

Plan/Document Name	Drawing Number	Revision	Date
Sheet List & Render & Site	SD0.00	B	01/12/20
Renders	SD0.0R1	B	01/12/20
Renders	SD0.0R2	B	01/12/20
Site Plan	SD0.10	B	01/12/20
Ground Floor Plan General Arrangement 3 Bedroom Dwellings	SD1.01	A	01/12/20
First Floor Plan General Arrangement 3 Bedroom Dwellings	SD1.02	A	01/12/20
Lower Ground Plan General Arrangement 4 Bedroom Dwelling	SD1.10	A	01/12/20
Ground Floor Plan General Arrangement 4 Bedroom Dwelling	SD1.11	A	01/12/20
First Floor Plan General Arrangement 4 Bedroom Dwellings	SD1.12	A	01/12/20

3 Bed Townhouses Dimensioned Ground Floor Plan	SD2.01	A	01/12/20
3 Bed Townhouses Dimensioned First Floor Plan	SD2.02	A	01/12/20
4 Bed Townhouses Lower Ground Dimensioned	SD2.10	A	01/12/20
4 Bed Ground Floor Dimensioned	SD2.11	A	01/12/20
4 Bed First Floor Dimensioned	SD2.12	A	01/12/20
Roof Plan	SD6.01	A	01/12/20
2 Site Elevations	SD7.01	A	01/12/20
2 Site Elevations	SD7.02	A	01/12/20
Landscape Proposal and Species Palette	Sheet No. SDL 10 Job No. 2014 – Prepared by Gordon Gould Ipson Architects	A	03/12/20
Stormwater Drainage Catchment Plan	Project No. 190290 Dwg No. SK1 – Prepared by Rodgers Consulting	P1	15//02/21
Bushfire Hazard Assessment	Bushfire Construction Report L1 Milman Street Thursday Island – Prepared by Baker Building Certification	-	17/09/19
Geotechnical Investigation – 24 Milman Street Thursday Island	Report No: GT19-222-001R – Prepared by ETS Geotechnical	1	July 2019

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

3.0 ACCESS AND PARKING WORKS

3.1 Design and construct the vehicle crossover to Milman Street in accordance with the approved plans and the relevant *FNQROC Development Manual* standard.

3.2 Provide a minimum of three (3) visitor car parking spaces, which must not be for the exclusive use of any single dwelling unit and must remain for communal use.

3.3 Design and construct all car parking and vehicle manoeuvring areas in accordance with the approved plans, *FNQROC Development Manual*, *Australian Standard AS2890 "Off Street Car Parking"*, *Manual of Uniform Traffic Control Devices (Queensland)*.

3.4 Prior to commencement of works, RPEQ certified plans of the internal access driveways and car parking areas demonstrating the swept paths must be provided and approved by Council.

3.5 All car parking and vehicle manoeuvring areas must be either asphalt sealed or concreted, to the satisfaction of Council.

- 3.6 Vehicle access to the site is only permitted at the approved vehicle crossover location shown on the approved plans.

4.0 STORMWATER AND ROOF AND ALLOTMENT DRAINAGE

- 4.1 All roof and allotment runoff from the development site must be in accordance with the approved Stormwater Drainage Catchment Plan and directed to a lawful point of discharge (Milman Street) and must not restrict, impair, or change the natural flow of runoff water or cause nuisance to surrounding land or infrastructure.
- 4.2 All stormwater infrastructure must be designed, constructed, and maintained in accordance with the *FNQROC Development Manual* and the *Queensland Urban Drainage Manual*.

5.0 SEWERAGE AND WATER

- 5.1 Connect the development to Council's reticulated sewerage and water network. Sufficient reticulated water capacity must be provided for domestic and firefighting purposes.
- 5.2 Design and construct all sewerage and water works in accordance with the approved plans, *FNQROC Development Manual*, *Water Supply (Safety and Reliability) Act* and the *Plumbing and Drainage Act*.
- 5.3 Remove all redundant sewerage and water infrastructure, including but not limited to pipes and connection points.

6.0 SERVICES

- 6.1 Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.

6.0 LANDSCAPING

- 6.1 Establish, maintain and retain all landscaping generally in accordance with the approved Landscaping Plan. The landscaped areas must be subject to ongoing maintenance and replanting programme (if necessary).

7.0 WASTE MANAGEMENT

- 7.1 The waste storage area must be located in accordance with the approved plans. The waste storage area must be:
- 7.1.1 Designed to not cause nuisance to neighbouring properties;
 - 7.1.2 Screened from any road frontage or adjoining property;
 - 7.1.3 Of a sufficient size to accommodate a single 240L waste bin for each dwelling unit; and

8.0 AMENITY AND ENVIRONMENTAL HEALTH

- 8.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise.
- 8.2 Install and operate all outdoor lighting to comply with *AS4282 – 1997 "Control of the Obtrusive Effects of Outdoor Lighting"*.

9.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL

- 9.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair, or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 9.2 Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the *FNQROC Development Manual* as it relates to the construction phase. The ESCS must be available for inspection by TSC officers during the construction phase.
- 9.3 Implement the ESCS for the duration of the construction phase and until such time all exposed soil areas are permanently stabilised (for example, turfed, hydro mulched, concreted, or landscaped).

10.0 ASSET MANAGEMENT

- 10.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to TSC.

11.0 RETAINING WALLS

- 11.1 Prior to the commencement of any construction on site/of cut/fill batters and/or retaining structures on site, submit to Council certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) stating that all cut/fill batters and/or retaining structures will achieve a long term factor of safety greater than 1.5 and that the proposed cut/fill batters and/or retaining structures will not cause any adverse effect on the stability and integrity of the neighbouring buildings, properties, utility services and infrastructures.

ADVISORY NOTES


1. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
2. Infrastructure Charges must be paid to Council when the change of use occurs as stated in the *Planning Act 2016* as indicated on the Infrastructure Charges Notice at the rate applicable at the time of payment.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the TSC may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the TSC.
4. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
5. This development approval does not authorise any activity that may harm Aboriginal and Torres Strait Islander cultural heritage. It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.


6. An application to TSC is required for water and/or sewerage services to be connected to a property. The developer should contact TSC for further information on the necessary forms and application process.

ATTACHMENT 2 – APPROVED PLANS


Sheet List					
Drawing No.	Name	Rev	Revision Description	Issued To	Date
S0100	SHEET LIST 1/2/2017 & SITE	B	MINOR AMENDMENTS	CLIENT PLANNER	20/11/17
S0101	REMARKS	B	MINOR AMENDMENTS	CLIENT PLANNER	20/11/17
S0102	REMARKS	B	MINOR AMENDMENTS	CLIENT PLANNER	20/11/17
S0103	SITE PLAN	B	MINOR AMENDMENTS	CLIENT PLANNER	20/11/17
S0104	GROUND FLOOR PLAN GENERAL ARRANGEMENT 3 BEDROOM DWELLINGS	A	Client Review	CLIENT PLANNER	20/11/17
S0105	FIRST FLOOR PLAN GENERAL ARRANGEMENT 3 BEDROOM DWELLINGS	A	Client Review	CLIENT PLANNER	20/11/17
S0106	LOWER GROUND FLOOR GENERAL ARRANGEMENT 4 BEDROOM DWELLING	A	Client Review	CLIENT PLANNER	20/11/17
S0107	GROUND FLOOR PLAN GENERAL ARRANGEMENT 4 BEDROOM DWELLING	A	Client Review	CLIENT PLANNER	20/11/17
S0108	FIRST FLOOR PLAN GENERAL ARRANGEMENT 4 BEDROOM DWELLINGS	A	Client Review	CLIENT PLANNER	20/11/17
S0109	3 BED TOWNHOUSES DIMENSIONED GROUND FLOOR PLAN	A	Client Review	CLIENT PLANNER	20/11/17
S0110	3 BED TOWNHOUSES DIMENSIONED FIRST FLOOR PLAN	A	Client Review	CLIENT PLANNER	20/11/17
S0111	4 BED TOWNHOUSES DIMENSIONED GROUND FLOOR PLAN	A	Client Review	CLIENT PLANNER	20/11/17
S0112	4 BED TOWNHOUSES DIMENSIONED FIRST FLOOR PLAN	A	Client Review	CLIENT PLANNER	20/11/17
S0113	FLOOR PLAN	A	Client Review	CLIENT PLANNER	20/11/17
S0114	SITE ELEVATIONS	A	Client Review	CLIENT PLANNER	20/11/17
S0115	SITE ELEVATIONS	A	Client Review	CLIENT PLANNER	20/11/17

← current drawing issue shaded



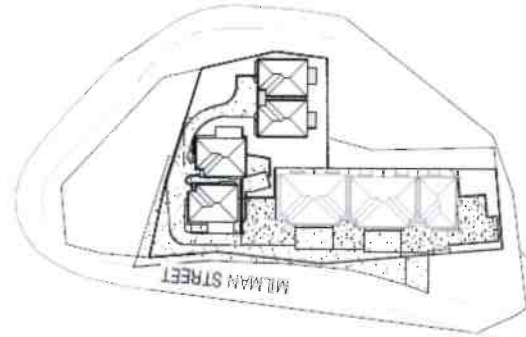


STREET VIEW



LOCALITY PLAN

1 : 1000



CLIENT
JAYBRAD HOLDINGS
PTY LTD

PROJECT
NEW TOWNHOUSE
DEVELOPMENT

LOCATION
LOT 1, RP882187
MILMAN ST
THURSDAY ISLAND

DRAWN WK

APPROVED GS

SCALE 1 : 1000

DATE NOV 20

SHEET No. S00.00 **B**

JOB No. 20.42

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gordon gould
ARCHITECTS
100 HILL STREET
MILMAN ST
THURSDAY ISLAND 7000
TEL 08 8250 0888
WWW.GORDONGOULD.COM.AU



NORTH VIEW



NORTH NOR WEST BIRDS EYE VIEW

 <p>GORDON & BRECHTLE ARCHITECTS 100-10200 100th Ave Edmonton, Alberta T6E 1E3 T: 780.443.8888 E: info@gordonbrechtle.com W: www.gordonbrechtle.com</p>	<p>CLIENT J&B GROUP HOLDINGS PTY LTD</p>	<p>PROJECT NEW TOWNHOUSE DEVELOPMENT</p>	<p>LOCATION LOT 1, P8882167 MILMAN ST THURSDAY ISLAND</p>	<p>DRAWN MK</p>	<p>REVISION</p>	<p>DATE</p>
				<p>APPROVED GJ</p>	<p>DATE NOV 29</p>	<p>DATE 2017</p>
				<p>SCALE @A3</p>	<p>DATE NOV 29</p>	<p>DATE 2017</p>
				<p>DATE NOV 29</p>	<p>DATE NOV 29</p>	<p>DATE NOV 29</p>
				<p>SHEET No. SDO.0R1</p>	<p>SHEET No. SDO.0R1</p>	<p>SHEET No. SDO.0R1</p>
				<p>JOB No. 20-42</p>	<p>JOB No. 20-42</p>	<p>JOB No. 20-42</p>
				<p>NORTH</p>		
				<p>COPYRIGHT RETAINED</p>		

DATE	REVISION	BY
2024/09/25	1	AS
2024/09/25	2	AS
2024/09/25	3	AS



1 NORTH NOR EAST VIEW



Gordon (Australia) Pty Ltd
 4, 5, 6, 7, 8, 9, 10, 11
 CARING - CARED FOR - CAREY
 15000 100, 100, 100, 100
 1 800 400 2020
 E info@gordon.com.au
 www.gordon.com.au

CLIENT	JAYESSAD HOLDINGS
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1, RP2682187
	MILMAN ST
	THURSDAY ISLAND
DRAWN	WK
APPROVED	DS
SCALE	1:50
DATE	NOV 20
SHEET No.	S000 062/B
JOB No.	230 42
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2 WEST VIEW



SITE PLAN
1 : 250

 Gordon Gould Design ARCHITECTS	CLIENT JAYNEAD HOLDINGS PTY LTD	PROJECT NEW TOWNHOUSE DEVELOPMENT	LOCATION LOT 1, CROSSHIRE MILMAN ST THURSDAY ISLAND	DRAWN MK	DATE NOV 28	SHEET No. S00.10	JOB No. 20.42	NORTH
				APPROVED JG	SCALE 1:250 (A3)	DATE NOV 28	SHEET No. S00.10	JOB No. 20.42
				ISSUE A Client Issue B BACK DROUGHT	REVISION DATE	COPYRIGHT RETAINED		

DATE	REVISION	DATE
1	Client Review	07/12

TOWNHOUSE 1

TOWNHOUSE 2



Gordon's Golden Plains
 Park Projects
 183-187 Reginald Court
 1811 Stirling
 Stirling
 07533 4444
 www.gordons.com.au

CLIENT	JAYBRAD HOLDINGS PTY LTD
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1, 59882187 MILMAN ST THURSDAY ISLAND
DRAWN	WK
APPROVED	OG
SCALE	1:100
DATE	NOV 20
SHEET No.	SD1.01 A
JOB No.	20.42
COPYRIGHT RESERVED	

GROUND FLOOR PLAN GENERAL ARRANGEMENT 3 BED DWELLINGS

1 : 100



REVISION	DATE
A	20/10/20

TOWNHOUSE 2

TOWNHOUSE 1



gordon gould architects

 ARCHITECTS

 15/100-150/1000ST - ABERDEEN

 PERTH WA 6150

 T 08 9437 2028

 E gordon@ggaw.com.au

 www.ggaw.com.au

CLIENT JAYTSAAD HOLDINGS

 PTY LTD

 PROJECT NEW TOWNHOUSE

 DEVELOPMENT

 LOCATION LOT 1, 60082187

 MILMAN ST

 THURSDAY ISLAND

 DRAWN WK

 APPROVED GG

 SCALE 1:100

 DATE NOV 20

 SHEET No SD1.02 A

 JOB No 20.42

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FIRST FLOOR PLAN GENERAL ARRANGEMENT 3 BED DWELLINGS

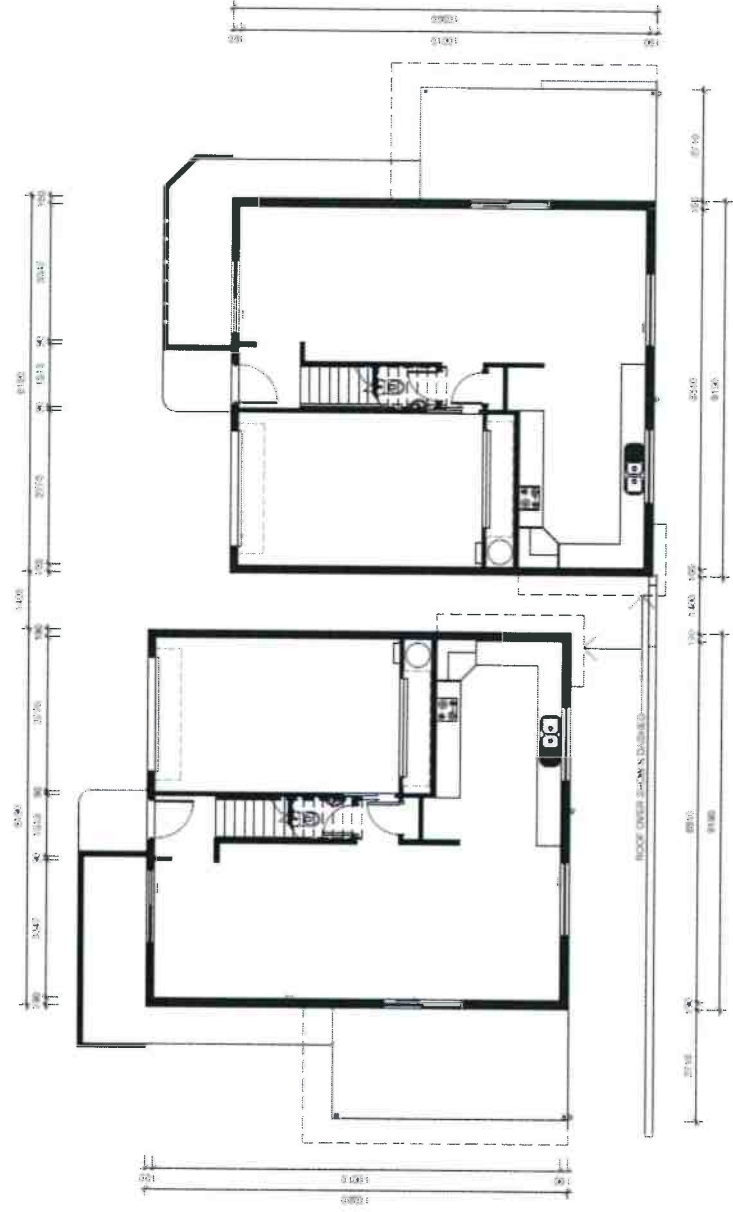


1 : 100

ISSUE	REVISION	DATE
1	1	20/11/20

TOWNHOUSE 1

TOWNHOUSE 2





 gordon gould design
 ARCHITECTS
 10/100 TORRENT ROAD
 PERTH WA 6150
 T 08 9442 2213
 E gordon@ggdesign.com.au
 W www.ggdesign.com.au

CLIENT	JAYBROAD HOLDINGS PTY LTD
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1 30882167 MILMAN ST THURSDAY ISLAND
DRAWN	WK
APPROVED	GG
SCALE	1 : 100
DATE	NOV 20
SHEET No	SD2.01 A
JOB No	20-42
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GROUND FLOOR PLAN DIMENSIONED 3 BED DWELLINGS

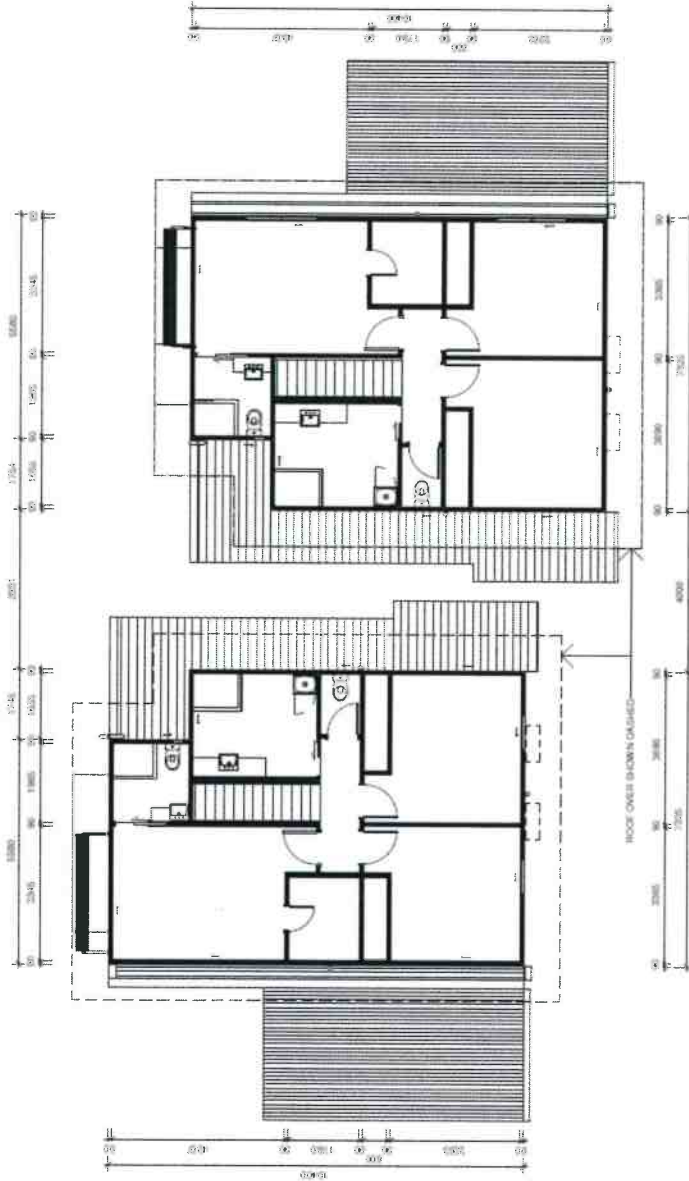
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DATE	REVISION	DATE

TOWNHOUSE 2

TOWNHOUSE 1



Gordon Spalding Architects
 10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000

CLIENT: JAYESSAD HOLDINGS
 PITY LTD
 PROJECT: NEW TOWNHOUSE DEVELOPMENT
 LOCATION: LOT 1, RP980197, MILMAN ST, THURSDAY ISLAND
 DRAWN: WK
 APPROVED: GG
 SCALE: 1:100
 DATE: NOV 20
 SHEET No: SD2.02.A
 JOB No: 20.42
 COPYRIGHT RETAINED

FIRST FLOOR PLAN DIMENSIONED 3 BED DWELLINGS

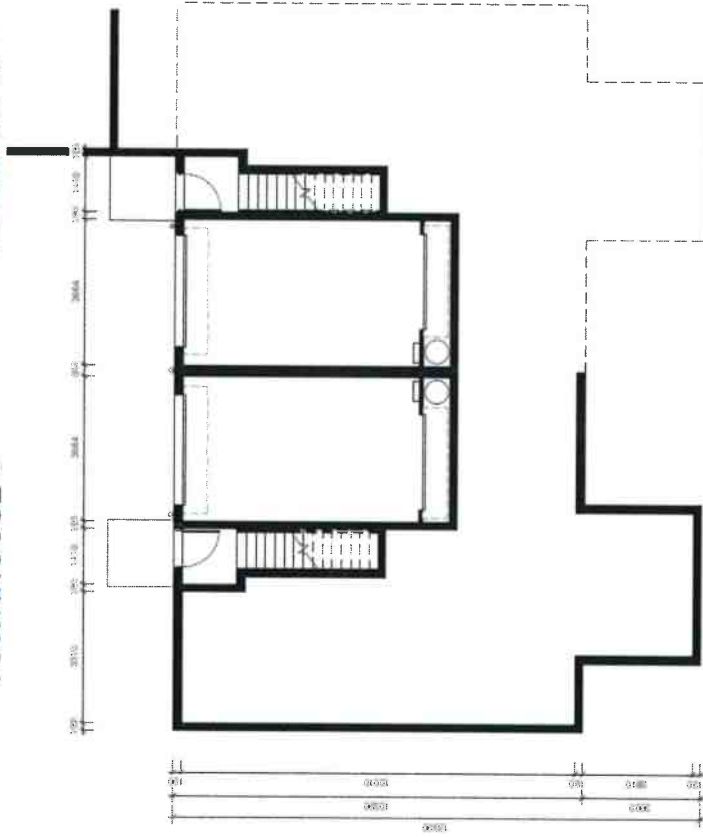
1 : 100



ISSUE	REVISION	DATE
2	Completed	20/11/20

TOWNHOUSE 3

TOWNHOUSE 4



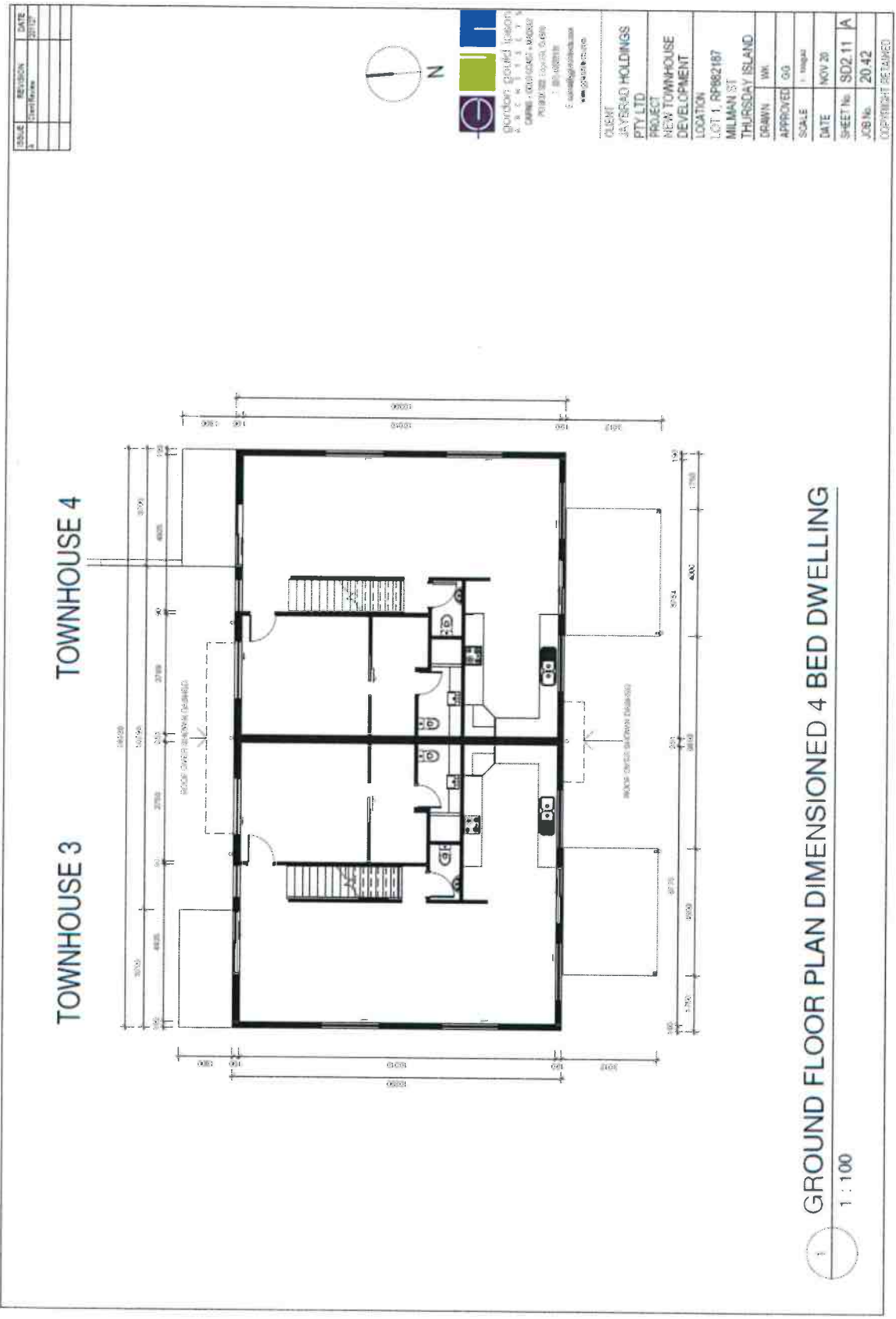

Operation Groundworks
 A S T R A L I A N
 CARING • OCCUPANT • INSPIRE
 PHONE: 08 9438 6000
 | 07 4322 010
 | www.operationgroundworks.com
 | info@operationgroundworks.com

CLIENT	JAYROAD HOLDINGS
PROJECT	PTY LTD
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	
LOT 1, 60882187	
MILMAN ST	
THURSDAY ISLAND	
DRAWN	WR
APPROVED	GG
SCALE	1:100
DATE	NOV 20
SHEET No.	SDZ 10 A
JOB No.	20-42
COPYRIGHT RETAINED	

LOWER GROUND PLAN DIMENSIONED 4 BED DWELLING

1 : 100





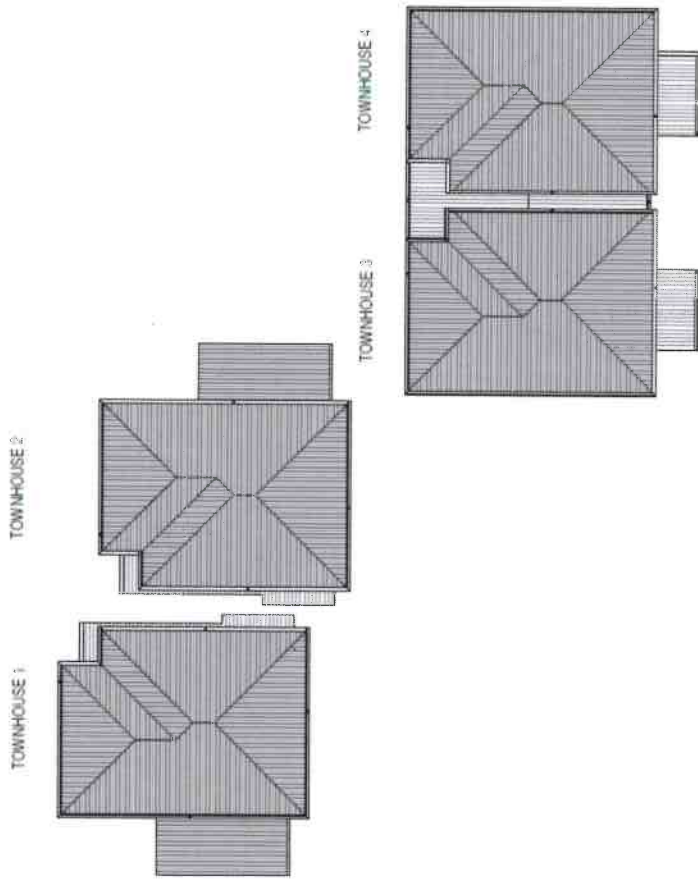
NO.	REVISION	DATE

GORDON GOULD ARCHITECTS
 ARCHITECTS
 105/106 COCHRAN STREET
 PERTH, WEST AUSTRALIA 6000
 T: 08 9447 1234
 F: 08 9447 1235
 WWW.GORDONGOULD.COM.AU

CLIENT	JAYBERARD HOLDINGS
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1, RP982187 MILMAN ST THURSDAY ISLAND
DRAWN	MM
APPROVED	GG
SCALE	1:100
DATE	NOV 20
SHEET No.	SD2 11 A
JOB No.	20 42
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1 GROUND FLOOR PLAN DIMENSIONED 4 BED DWELLING
 1 : 100

DATE	REVISION	DATE
	1	2017



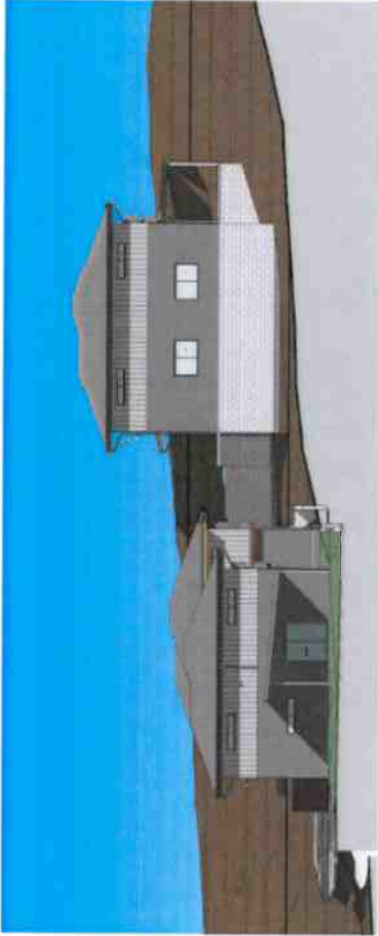
Gordon Gould (gordon
 Gould) Pty Ltd
 100/100 WILSON ST
 MELB VIC 3048
 T: 03 9439 1000
 F: 03 9439 1001
 www.gordon Gould.com.au

CLIENT	JAYBRAD HOLDINGS
PITY LTD	
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1, RP002187 MULMAN ST THURSDAY ISLAND
DRAWN	WK
APPROVED	GG
SCALE	1:200
DATE	NOV 20
SHEET No.	SDR.01 A
JOB No.	20.42


ROOF PLAN
 1 : 200

COPYRIGHT RESERVED

DATE	REVISION	DATE
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	2	
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	4	



1 WEST ELEVATION

1 : 200



2 SOUTH ELEVATION

1 : 200



Gordon Gould Architects
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CLIENT
 JAYTSROAD HOLDINGS
 PTY LTD
 PROJECT
 NEW TOWNHOUSE
 DEVELOPMENT
 LOCATION
 LOT 1, RPS82167
 MILMAN ST
 THURSDAY ISLAND
 DRAWN
 WK
 APPROVED
 GG
 SCALE
 1:200A
 DATE
 NOV 20
 SHEET No
 SD7.01 A
 JOB No
 20-42
 COPYRIGHT RETAINED

NO.	REVISION	DATE



EAST ELEVATION

1 : 200



NORTH ELEVATION

1 : 200



gordon gould architects
 ARCHITECTS
 2000 BAYVIEW BLVD
 SUITE 200
 VICTORIA BC V8P 2C1
 TEL: 250-850-0000
 WWW.GORDONGOULD.COM

CLIENT: JAYBRAD HOLDINGS PTY LTD
 PROJECT: NEW TOWNHOUSE DEVELOPMENT
 LOCATION: LOT 1 RP682187 MILMAN ST THURSDAY ISLAND
 DRAWN: WK
 APPROVED: GG
 SCALE: 1 : 200
 DATE: NOV 20
 SHEET No: SD7.02 | A
 JOB No: 20-42
 COPYRIGHT RETAINED

DATE	REVISION	BY	CHKD




garden grounds
 LANDSCAPE ARCHITECTS
 1000 W. 10th Street
 Suite 100
 Minneapolis, MN 55408
 Phone: 612.338.1111
 www.garden-grounds.com

CLIENT
AJ HOMES

PROJECT
NEW TOWNHOUSE DEVELOPMENT
 LOCATION
 LOT 1, HERBERT MILMAN ST THURSDAY ISLAND
 DRAWN BY
 APPROVED BY
 SCALE 1:1000
 DATE DEC 2020
 SHEET NO. S01.10 A
 JOB NO. 2014
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- LEGEND**
- REVEGETATION MIXED SPECIES
 - SCREENING SHRUBS
 - SMALL SHRUBS
 - LOW SPECIES + CREEPERS
 - TUSS
 - GRAVEL
 - TREE

REFERENCE SHEET S01.20
 FOR PROPOSED SPECIES PALETTE



1 LANDSCAPE PROPOSAL
 1 : 200

ISSUE	REVISION	DATE
1	Client Review	20/12/14



Vitex ovata - Beach Vitex



Gardenia posindicus - Gardenia - Glennie River



Diomedea brevipedunculata - Flax Lily



Leucosiphon longifolius - River Reed

LOW & CREEPERS



Westringia myrsinoides - Native Rosemary



Westringia myrsinoides - Native Rosemary



Ficus opposita - Sandpaper Fig



Leptospermum 'Cardwell'

SMALL SHRUBS



Symplocos sp. Iron Scaevola



Hibiscus sabiceus - Coast Cottonwood



Alibiscus 'Claret Taps'



Leptospermum 'Cardwell'

SCREENING SHRUBS



Alibiscus 'Claret Taps'



Alibiscus 'Claret Taps'



Alibiscus 'Claret Taps'



Alibiscus 'Claret Taps'

SCREENING TREES

1 LANDSCAPE PROPOSAL SPECIES PALETTE



Diacrypis littorea - Sea Ebony



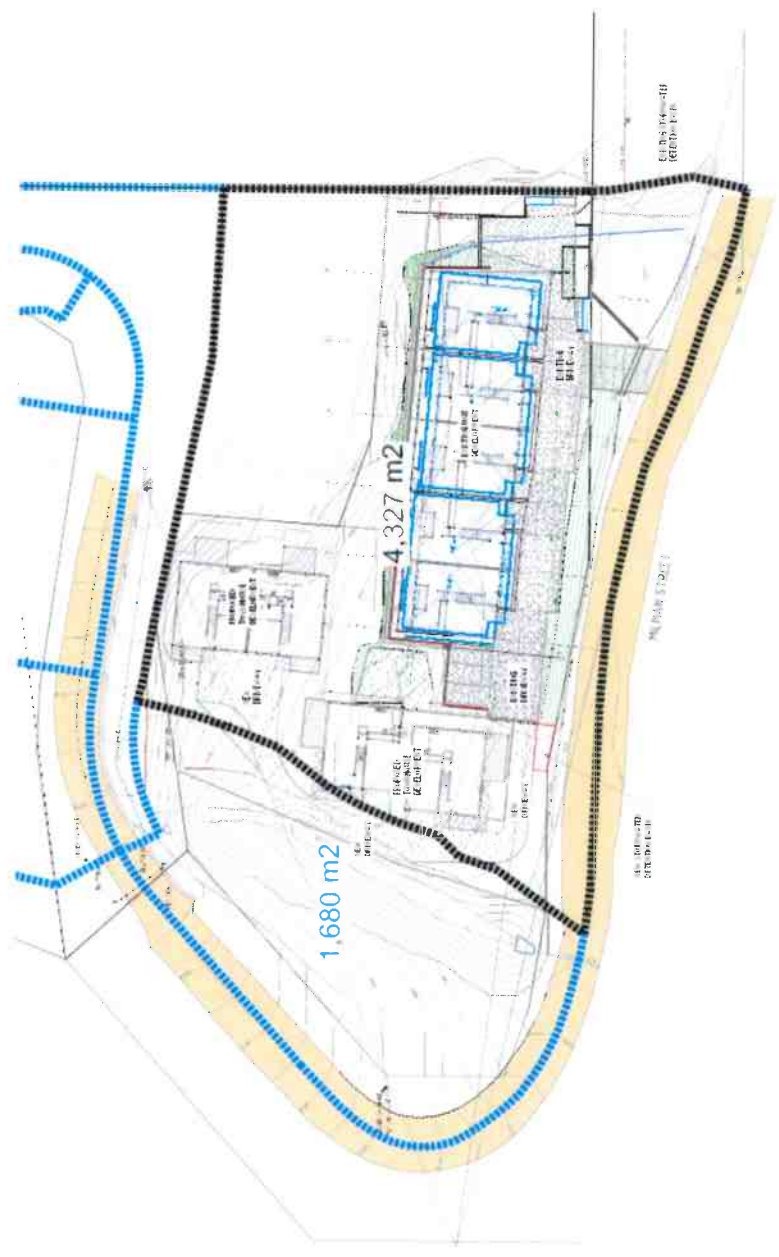
Chiodia nitens - Cascarella Bark



Eucalyptus teretifolia - Cape York Bloodwood

Gordon Gould Design
 LANDSCAPE ARCHITECTS
 1/111 RIVER ST
 MILMAN ST
 THURSDAY ISLAND
 T 81 422 211
 F 81 422 211
 www.gordongould.com

CLIENT	AD HOMES
PROJECT	NEW TOWNHOUSE DEVELOPMENT
LOCATION	LOT 1, RPS02187 MILMAN ST THURSDAY ISLAND
DRAWN	RG
APPROVED	ES
SCALE	
DATE	DECEMBER 2010
SHEET NO.	SQL 20 A
JOB NO.	2014
COPYRIGHT RETAINED	



RODGERS ARCHITECTURE 1150-1154 BROADWAY 3RD FLOOR TORONTO, ONTARIO M5G 1L2 TEL: (416) 593-8400 WWW.RODGERSARCHITECTURE.COM	PROJECT NO: []		SHEET NO: []
	CLIENT: []		DATE: []
	TITLE: []		SCALE: []
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SCALE: []			
DRAWN BY: []			

ATTACHMENT 3 – INFRASTRUCTURE CHARGES NOTICE

Attached under separate cover. This page has been intentionally left blank.

ATTACHMENT 4 – NOTICE ABOUT A DECISION NOTICE

NOTICE ABOUT A DECISION NOTICE

In accordance with section 63(4) and (5) of the *Planning Act*

DESCRIPTION OF THE DEVELOPMENT

Application number:	IDAS 21/01
Property description:	24 Milman Street, Thursday Island (Lot 1 on RP882187)
Approval sought:	Development Permit for Material Change of Use
Description of the development:	Material Change of Use for Multiple Dwelling Units (Four (4) Townhouses)
Decision:	Approved with conditions
Decision date:	9 April 2021

APPLICABLE ASSESSMENT BENCHMARKS

Planning Scheme:	Torres Shire IPA Planning Scheme (17 July 2007) <ul style="list-style-type: none">• Residential Zone Code• Multiple Dwelling Units Code• Special Management Area Code
State Planning Policy (SPP):	Biodiversity Natural Hazards Risk and Resilience Strategic Airports and Aviation Facilities
Planning Regulation 2017:	The application did not trigger any matters prescribed by the regulation.

PUBLIC NOTIFICATION

The application is code assessable therefore public notification was not required.

REASONS FOR THE DECISION

The application is **approved** on the following grounds:

- The development will be located in an area zoned for residential purposes and the scale and intensity of the use is consistent with the outcomes of the zone.
- No significant environmental residential impact is resultant from the development.
- The development is serviceable by urban infrastructure.

- The proposal achieves the desired environmental outcomes of the *Torres Shire Planning Scheme 2007* and does not present any non-compliance that cannot be overcome by condition of approval.
- The proposal will cater for the growing demand for residential housing need in the region in a locality that is serviced and well situated amongst the existing township on Thursday Island.
- Infrastructure Charges will be applied in this case.

ATTACHMENT 5 – EXTRACT OF APPEAL PROVISIONS

Attached under separate cover. This page has been intentionally left blank.



Torres Shire Council

INFRASTRUCTURE CHARGES NOTICE

(section 52 and schedule 16 of Planning Act 2016)

APPLICANT:	Jaybrad Holdings Pty Ltd c/- Kristy Gilvear – Gilvear Planning Pty Ltd								
APPLICATION:	Development Permit for Material Change of Use (Multiple Dwelling Unit x 4)								
LOT DESCRIPTION:	Lot 1 on RP882187								
DATE:	9 April 2021								
FILE REFERENCE:	IDAS21/01								
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	<table border="1"> <thead> <tr> <th>Development Type</th> <th>Adopted Infrastructure Charge</th> <th>Credits</th> <th>Total Charge</th> </tr> </thead> <tbody> <tr> <td>Multiple Dwelling (x4)</td> <td>\$113,343.60</td> <td>\$0.00</td> <td>\$113,343.60</td> </tr> </tbody> </table>	Development Type	Adopted Infrastructure Charge	Credits	Total Charge	Multiple Dwelling (x4)	\$113,343.60	\$0.00	\$113,343.60
Development Type	Adopted Infrastructure Charge	Credits	Total Charge						
Multiple Dwelling (x4)	\$113,343.60	\$0.00	\$113,343.60						
AUTOMATIC INCREASE OF LEVIED CHARGE:	The amount of the levied charge is subject to an automatic increase. Refer to the General Information attached to this notice for more information on how the increase is worked out.								
LAND TO WHICH CHARGE APPLIES:	Lot 1 on RP882187								
SITE ADDRESS	24 Milman Street, Thursday Island								
PAYABLE TO:	Torres Shire Council								
WHEN PAYABLE:	Material Change of Use – When the change of use occurs as stated in the Planning Act 2016								
OFFSETS OR REFUNDS	Nil								

This charge is made in accordance with *Council's Charges Resolution (No.2) 2018* and section 52 and *Schedule 16 of the Planning Regulation 2017*.

DETAILS OF CALCULATION

ADOPTED CHARGES

Water Supply

Development Description	Units of Measure	Charge Rate	Reference	Amount
Multiple Dwelling Unit – 3 or more bedroom dwelling	4 units	\$8,500.77	CR Table 2.1	\$34,003.08

Sewerage

Development Description	Units of Measure	Charge Rate	Reference	Amount
Multiple Dwelling Unit – 3 or more bedroom dwelling	4 units	\$7,083.98	CR Table 2.1	\$28,335.92

Transport

Development Description	Units of Measure	Charge Rate	Reference	Amount
Multiple Dwelling Unit – 3 or more bedroom dwelling	4 units	\$4,250.39	CR Table 2.1	\$17,001.56

Community Facilities and Parks

Development Description	Units of Measure	Charge Rate	Reference	Amount
Multiple Dwelling Unit – 3 or more bedroom dwelling	4 units	\$2,833.59	CR Table 2.1	\$11,334.36

Stormwater

Development Description	Units of Measure	Charge Rate	Reference	Amount
Multiple Dwelling Unit – 3 or more bedroom dwelling	4 units	\$5,667.17	CR Table 2.1	\$22,668.68

TOTAL ADOPTED CHARGE	\$113,343.60
-----------------------------	---------------------

CREDIT

No credit is applicable.

TOTAL CHARGE	\$113,343.60
---------------------	---------------------



Dalassa Yorkston
Chief Executive Officer

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119-123 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	Pursuant to section Chapter 6 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.
Automatic Increase Provision of charge rate (\$)	<p>An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI Index applicable at the time of payment of the levied charge , adjusted by reference to the 3-yearly PPI Index average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.</p>
GST	The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2016</i> are GST exempt.
To whom the charge must be paid	<p>Payment of the Charge must be made payable to TORRES SHIRE COUNCIL, PO Box 171, Thursday Island, Qld 4875.</p> <p>The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.</p> <p>It is requested that you contact Council's Planning and Development Department to confirm that amount payable prior to making payment.</p>

¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Payment This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to TORRES SHIRE COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

Overseas Payees Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

Method of Payment **PAYMENT BY MAIL**

Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Planning and Development Department.

Mail this updated payment notice immediately with your payment to: TORRES SHIRE COUNCIL, PO Box 171, Thursday Island, Qld 4875.

NOTE: Cheques must be made payable to TORRES SHIRE COUNCIL

PAYMENT AT COUNCIL OFFICES

Confirm the current Infrastructure Charge applicable.

Present written confirmation of charges with your payment to Torres Shire Council Chambers, 68 Douglas Street, Thursday Island.

NOTE: Cheques must be made payable to TORRES SHIRE COUNCIL

PAYMENT MADE BY CREDIT CARD

Credit Cards accepted: Mastercard or Visa

Enquiries Enquiries regarding this Infrastructure Charges Notice should be directed to the TORRES SHIRE COUNCIL, Planning and Development Department, during office hours 9am to 4pm Monday to Friday by phoning (07) 4069 1336 or email at admin@torres.qld.gov.au

(2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

(3) In this section—

conduct means an act or omission.

representative means—

(a) of a corporation—an executive officer, employee or agent of the corporation; or

(b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

(a) knowledge, intention, opinion, belief or purpose; and

(b) reasons for the intention, opinion, belief or purpose.

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 an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) 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, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; 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 to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), 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, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any 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.

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to 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 2018*; 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
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul style="list-style-type: none"> (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.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>
<p>2. Change applications</p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect ‘use category’, under a regulation, to the development <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p>5. Conversion applications</p> <p>An appeal may be made against—</p> <p>(a) the refusal of a conversion application; or</p> <p>(b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p>6. Enforcement notices</p> <p>An appeal may be made against the decision to give an enforcement notice.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

**Table 2
Appeals to the P&E Court only**

<p>1. Appeals from tribunal</p> <p>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—</p> <p>(a) an error or mistake in law on the part of the tribunal; or</p> <p>(b) jurisdictional error.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
<p>2. Eligible submitter appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>

Table 2
Appeals to the P&E Court only

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>

4. Compensation claims

An appeal may be made against—

- (a) a decision under section 32 about a compensation claim; or
- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
<p>5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
<p>6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

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

Table 3 Appeals to a tribunal only			
<p>1. Building advisory agency appeals</p> <p>An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<p>1 A concurrence agency for the development application related to the approval</p> <p>2 A private certifier for the development application related to the approval</p>

Table 3 Appeals to a tribunal only			
<p>2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Local government failure to decide application under the Building Act An appeal may be made against a local government’s failure to decide an application under the Building Act within the period required under that Act.</p>			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—
<p>5. Failure to make a decision about an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a failure by the Queensland Building and Construction Commission to make a decision, within the period required under that Act, if an information notice about the decision was required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—