



TORRES SHIRE COUNCIL

To lead, provide and facilitate a sustainable, safe
and culturally vibrant community

P.O Box 171
THURSDAY ISLAND 4875

Telephone (07) 4069 1336
Facsimile (07) 4069 1845

Email: admin@torres.gld.gov.au
ABN 34 108 162 398

DATE: 21 February 2025

Our Ref: IDAS24/17
Enquire to: Ed Kulpa
Telephone: (07) 4069 1336

Peter James Lawrie
c/ Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Email: admin@urbansync.com.au

Dear Sir/Madam

Decision Notice – Approval

Given under section 63 of the Planning Act 2016

I wish to advise that Council has approved the development application in full.

Details of the decision are as follows:

DATE OF DECISION

Council approved the Development Application at the Council meeting on 18 February 2025.

APPLICATION DETAILS

Application No:	IDAS24/17
Approval Sought:	Development Permit for a Material Change of Use
Description of the Development	Home Based Business
Planning Scheme:	<i>Torres Shire Council Planning Scheme 2022 (Version 1)</i>

LOCATION DETAILS

Street Address:	68 Victoria Parade, Thursday Island
Real Property Description:	Lot 101 on T2071

DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for a Home Based Business (catering business).

CURRENCY PERIOD

The use of the subject land must be commenced within a period of six (6) years from the date, unless otherwise stated, the approval takes effect in accordance with section 71 of the *Planning Act 2016*. Should the subject use not be commenced prior to the expiry of such period, this approval will lapse.

ASSESSMENT MANAGER CONDITIONS

This approval is subject to the conditions in Attachment 1.

PROPERLY MADE SUBMISSIONS

Not applicable – no part of the application required public notification.

REFERRAL AGENCIES

The referral agencies for the application are:

Referral Agency	Referral Matter
State Assessment and Referral Agency (SARA) Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: 07 4037 3214 Email: CairnsSARA@dsdilgp.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1

Referral Agency response provided in Attachment 2.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Plumbing and Drainage Work
- Development Permit for Building Work.

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 (Attachment 3)

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 (Attachment 5).

OTHER DETAILS

You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Torres Shire Council on (07) 4069 1336.

DELEGATED PERSON

Name: Dalassa Yorkston

Signature:



Enc. **Attachment 1** – Conditions imposed by the Assessment Manager

Attachment 2 – Conditions imposed by a Referral Agency

Attachment 3 – Approved Plans

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*).

CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

NO.	CONDITIONS	CONDITION TIMING
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.	At all times.
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.	At all times.
1.3	The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.	At all times.
1.4	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.	At all times.
1.5	Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards, and the FNQROC Development Manual.	At all times.

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.	At all times																																								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Drawing No.</th> <th style="text-align: center;">Document Name</th> <th style="text-align: center;">Revision</th> <th style="text-align: center;">Date</th> <th style="text-align: center;">Drawn by</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">TP01</td> <td>Cover Sheet</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP02</td> <td>Axon</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP03</td> <td>Site Plan</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP04</td> <td>Floor Plan</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP05</td> <td>Roof Plan</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP06</td> <td>Elevations</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> <tr> <td style="text-align: center;">TP07</td> <td>Section A-A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">23/11/2023</td> <td>Nevele Architects</td> </tr> </tbody> </table>	Drawing No.	Document Name	Revision	Date	Drawn by	TP01	Cover Sheet	A	23/11/2023	Nevele Architects	TP02	Axon	A	23/11/2023	Nevele Architects	TP03	Site Plan	A	23/11/2023	Nevele Architects	TP04	Floor Plan	A	23/11/2023	Nevele Architects	TP05	Roof Plan	A	23/11/2023	Nevele Architects	TP06	Elevations	A	23/11/2023	Nevele Architects	TP07	Section A-A	A	23/11/2023	Nevele Architects	
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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.	At all times.																																								

3.0	Hours of Operation	
3.1	The Home-Based Business must not operate outside the hours of 7:00am to 7:00pm without the prior written approval of Council's delegated officer.	At all times

4.0	Limitation of Approved Use	
4.1	The activities associated with the Home-Based Business must be undertaken within the prefabricated building as shown on the approved plan of development. The approved use, including storage must not at any time operate from the attached deck, except for staff and delivery access.	At all times.
4.2	The Home-Based Business must be conducted by the resident/s of the dwelling house located on the subject site and must not involve any other employee.	At all times.
4.3	The use must not involve customers visiting the site.	At all times.
4.4	All deliveries associated with the use must be undertaken by the resident employee of the Home-Based Business.	At all times.
4.5	The Home-Based Business must not generate more than five (5) vehicle trips per day. Note – a single vehicle trip is the movement of a vehicle to and from the site.	At all times.

5.0	Evidence of other required approvals	
5.1	The applicant must provide written evidence to Council that all other relevant approvals have been obtained including the Building Approval, Final Inspection Certificate, and Plumbing and Drainage Approval.	Within four (4) months of the approval taking effect, unless otherwise approved by Council.

6.0	Stormwater	
6.1	Stormwater drainage must be directed to a lawful point of discharge Victoria Parade and Pearl Street.	At all times.
6.2	Site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times.
6.3	All stormwater infrastructure must be designed, constructed, and maintained in accordance with the FNQROC Development Manual and the Queensland Urban Drainage Manual.	At all times.

7.0	Water and Sewerage	
7.1	Connect the development to Council's reticulated water network.	Prior to the commencement of use and at all times thereafter.
7.2	Connect the development to Council's reticulated sewerage network.	Prior to the commencement of use and at all times thereafter.
7.3	Design and construct all sewerage and water works in accordance with the approved plans, FNQROC Development Manual, Water Supply (Safety and Reliability) Act 2008 and the Plumbing and Drainage Act 2018.	Prior to the commencement of use and at all times thereafter

8.0	Landscaping and Fencing	
8.1	The existing north-western side boundary fence must be retained.	Prior to the commencement of

		use and maintained at all times.
8.2	Landscaped gardens a minimum width of 1 metre must be provided along the Pearl Street frontage of the building. The extent of the landscaped garden is detailed on the approved plan of development. The landscaping must include suitable tree and plant species to provide vegetation screening of the building. The landscaping must be subject to ongoing maintenance and replanting programme (if necessary).	Prior to the commencement of use and maintained at all times.

9.0	Waste Storage	
9.1	Store all waste within a designated waste storage area The waste storage area must be: (a) Designed and located to not cause nuisance to neighbouring properties; (b) Screened from any road frontage or adjoining property; and (c) Of a sufficient size to accommodate required number and type of bins.	At all times

10.0	Amenity and Environmental Health	
10.1	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.	At all times.

B. ASSESSMENT MANAGER (COUNCIL) ADVISORY NOTES

1. This approval, granted under the provisions of *the Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the relevant provisions of s85 of the *Planning Act 2016*.
2. This approval has considered the proposed reduced front boundary setback of no less than 1.7m. This development approval is taken to be an early referral response in accordance with section 57 of the *Planning Act 2016*.
3. Prior to commencement of use, 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.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. A Food Business licence will be required from Torres Shire Council prior to the commencement of use.
5. An application to Torres Shire Council is required for water and/or sewerage services to be connected to a property. The developer should contact Torres Shire Council for further information on the necessary forms and application process. A separate Trade Waste Permit may be required.
6. No building materials or the like are to be stored on the footpath unless an appropriate approval from Council is obtained, including the payment of associated fees.
7. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone

warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.

8. The *Environmental Protection Act 1994* states a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities, involved in civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.
9. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council.
10. 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*.

CONDITIONS IMPOSED BY A REFERRAL AGENCY

Attached under separate cover (this page has been intentionally left blank)



SARA reference: 2412-43960 SRA
 Council reference: IDAS 24/17
 Applicant reference: 23-1006

28 January 2025

Chief Executive Officer
 Torres Shire Council
 PO Box 171
 THURSDAY ISLAND 4875
 admin@torres.qld.gov.au

Attention: Ed Kulpa

Dear Sir/Madam

SARA referral agency response— 68 Victoria Parade, Thursday Island

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 19 December 2024.

Response

Outcome:	Referral agency response – No requirements
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	28 January 2025
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit	Material change of use for Home Based Business
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, (Planning Regulation 2017) – Material change of use of premises near a state-	

controlled road intersection

SARA reference: 2412-43960 SRA

Assessment manager: Torres Shire Council

Street address: 68 Victoria Parade, Thursday Island

Real property description: Lot 101 on T2071

Applicant name: Peter James Lawrie

Applicant contact details: C/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870
admin@urbansync.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

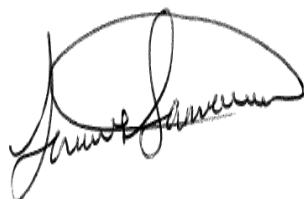
Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/ Manager (Planning)

cc Peter James Lawrie C/- Urban Sync Pty Ltd, admin@urbansync.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.1). If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

- The proposed development upon the subject site does not propose direct vehicular access onto a state-controlled road, and will be connected to Pearl Street, a local council road.
- The proposed development is unlikely to result in a notable flooding impact upon the nearby state-controlled road corridor.
- Required connections to council services, essential utilities and infrastructure for the proposed development can be obtained via the local roadway.
- SARA has carried out an assessment of the development application against State code 1: Development in a state-controlled road environment and has found that, the proposed development complies with relevant performance outcomes.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 3.1)
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*

Attachment 3—Representations about a referral agency response provisions

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APPROVED PLANS

Attached under separate cover (this page has been intentionally left blank)

GENERAL NOTES

ALL PLANS ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION NOTES.

ABBREVIATIONS:

- A.F.L. ABOVE FLOOR LEVEL
- A.F.F.L. ABOVE FINISHED FLOOR LEVEL
- APPROX. APPROXIMATE
- B BENCH
- BH BULKHEAD
- BR BROOM CUPBOARD
- BTH BATH TUB
- C.O.S. CONFIRM ON SITE
- CPD CUPBOARD
- CT COOKTOP
- CL CLOTHESLINE
- DFW DRY FLOOR WASTE
- DIA. DIAMETER
- DN DOWN
- DP DOWNPIPE
- DWR DRAWERS
- DW DISHWASHER
- FF FROG FLAP
- FW FLOOR WASTE
- HC HOSE COCK
- LN LINEN
- MSB MAIN SWITCH BOARD
- N.S.L. NATURAL SURFACE LEVEL
- OA OVERALL
- O/H OVERHANG
- O/H/C OVERHEAD CUPBOARD
- ORG OVERFLOW RELIEF GULLY
- OV OVEN
- PAD BUILDING PAD
- PIT STORMWATER PIT
- PTY PANTRY
- RA RODDING ACCESS
- REF REFRIGERATOR SPACE
- ROBE WARDROBE
- RV ROOF VENT
- SA SMOKE ALARM
- SB SPLASH BACK
- S/B SETBACK
- SH SHELF FIXED
- SHR SHOWER
- S-HWU SOLAR HOT WATER UNIT
- SJ SAW JOINT
- SK SINK
- SVP 500 SOIL VENT PIPE
- TUB LAUNDRY TUB
- VB VANITY BASIN
- WC TOILET
- WCJ WALL CONTROL JOINT
- WM WASHING MACHINE
- U.N.O. UNLESS NOTED OTHERWISE

GENERAL NOTES:

1. SCOPE EXTENT TO BE CONFIRMED/ VERIFIED PRIOR TO COMMENCING ANY WORK ON SITE. ALL MEASUREMENTS TO BE CONFIRMED/ VERIFIED ON SITE BY THE MANAGING CONTRACTOR.
2. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE DESIGNER. THE MANUFACTURER SHALL NOT COMMENCE ANY WORKS PRIOR TO THE RETURN OF REVIEWED SHOP DRAWINGS SIGNED BY THE RELEVANT CONSULTANT.
3. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
4. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH SPECIFICATION (WHERE SUPPLIED) AND ALL CONSULTANT DRAWINGS AND SPECIFICATIONS.
5. ALL BUILDING WORK SHALL COMPLY WITH ALL THE LOCAL AUTHORITY REGULATIONS AND ALL RELEVANT STANDARDS.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE WATERTIGHTNESS OF THE BUILDING AND MUST PROVIDE FLASHINGS, TANKING AND DPC REQUIRED TO PREVENT THE ENTRY OF MOISTURE INTO THE BUILDING.
7. PRIOR TO COMMENCEMENT OF WORK ON SITE ALL RELEVANT AUTHORITIES MUST BE CONTACTED TO DETERMINE LOCATION OF ALL POSSIBLE UNDERGROUND SERVICES.
8. PRIOR TO SETOUT & CONSTRUCTION OF ALL CONCRETE WALLS, CONFIRM ALL DIMENSIONS OF WALL THICKNESSES ON THESE DRAWINGS AGAINST THE LATEST STRUCTURAL ENGINEER'S DRAWINGS & ALL SUBCONTRACTOR DRAWINGS.
9. CROSS REFERENCE ALL DOOR OPENINGS AS DIMENSIONED WITH DOOR SCHEDULE PRIOR TO CONSTRUCTION.

1. ALL DESIGN, CONSTRUCTION METHODS AND MATERIALS TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND CODES.
 2. NOTIFY DESIGNER OF ANY DISCREPANCIES ON THE PLANS, OTHERWISE WE ACCEPT NO LIABILITY.
 3. DO NOT SCALE FROM DRAWINGS.
 4. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION OF ANY SHOP DRAWINGS.
 DRAWING IS COPYRIGHT TO NEVELE ARCHITECTS © AND MUST NOT BE ALTERED OR REPLICATED.

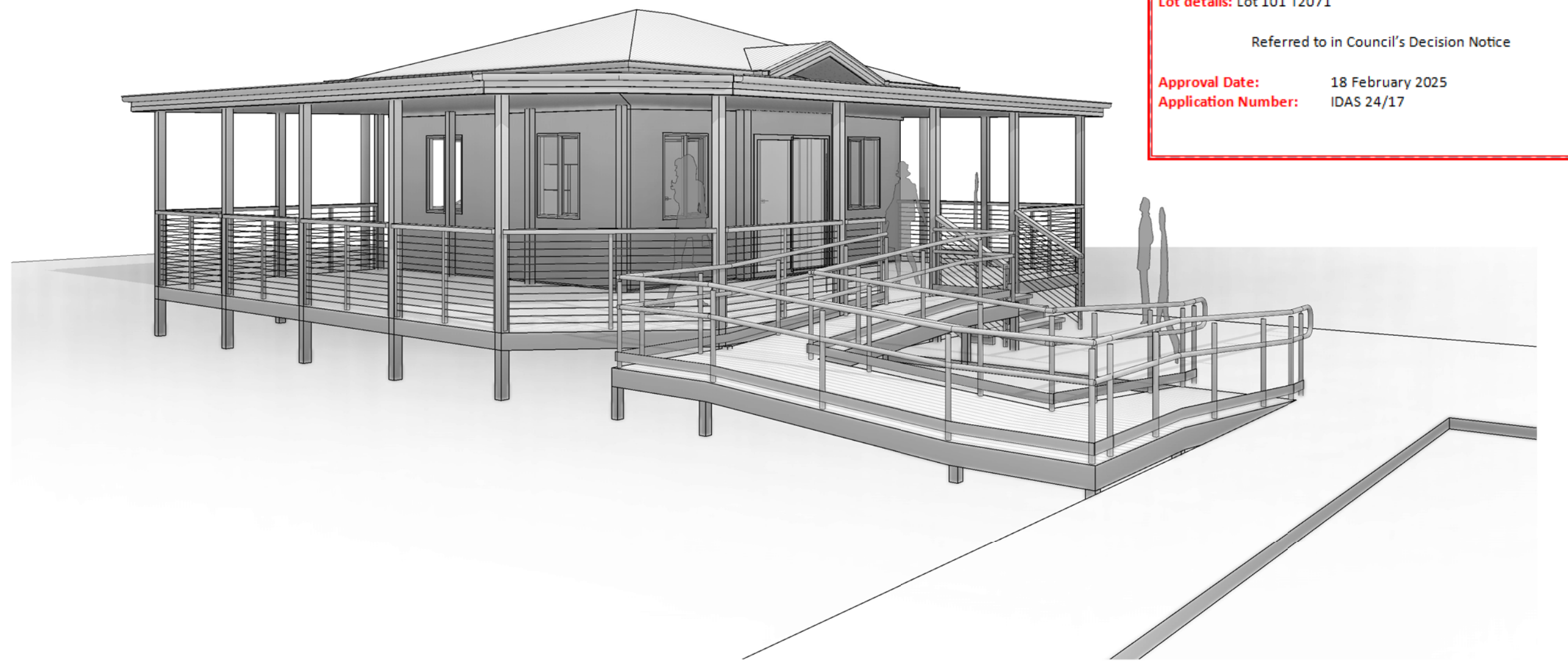
DRAWING LIST

NUMBER	DESCRIPTION	ISSUE DATE	REVISION No.
TP01	COVER SHEET	23/11/2023	A
TP02	AXON	23/11/2023	A
TP03	SITE PLAN	23/11/2023	A
TP04	FLOOR PLAN	23/11/2023	A
TP05	ROOF PLAN	23/11/2023	A
TP06	ELEVATIONS	23/11/2023	A
TP07	SECTION A-A	23/11/2023	A

SHIBA'S PTY LTD

68 VICTORIA PARADE,

THURSDAY ISLAND



TORRES SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

Referred to in Council's Decision Notice

Approval Date: 18 February 2025
Application Number: IDAS 24/17

ASSESSMENT ISSUE

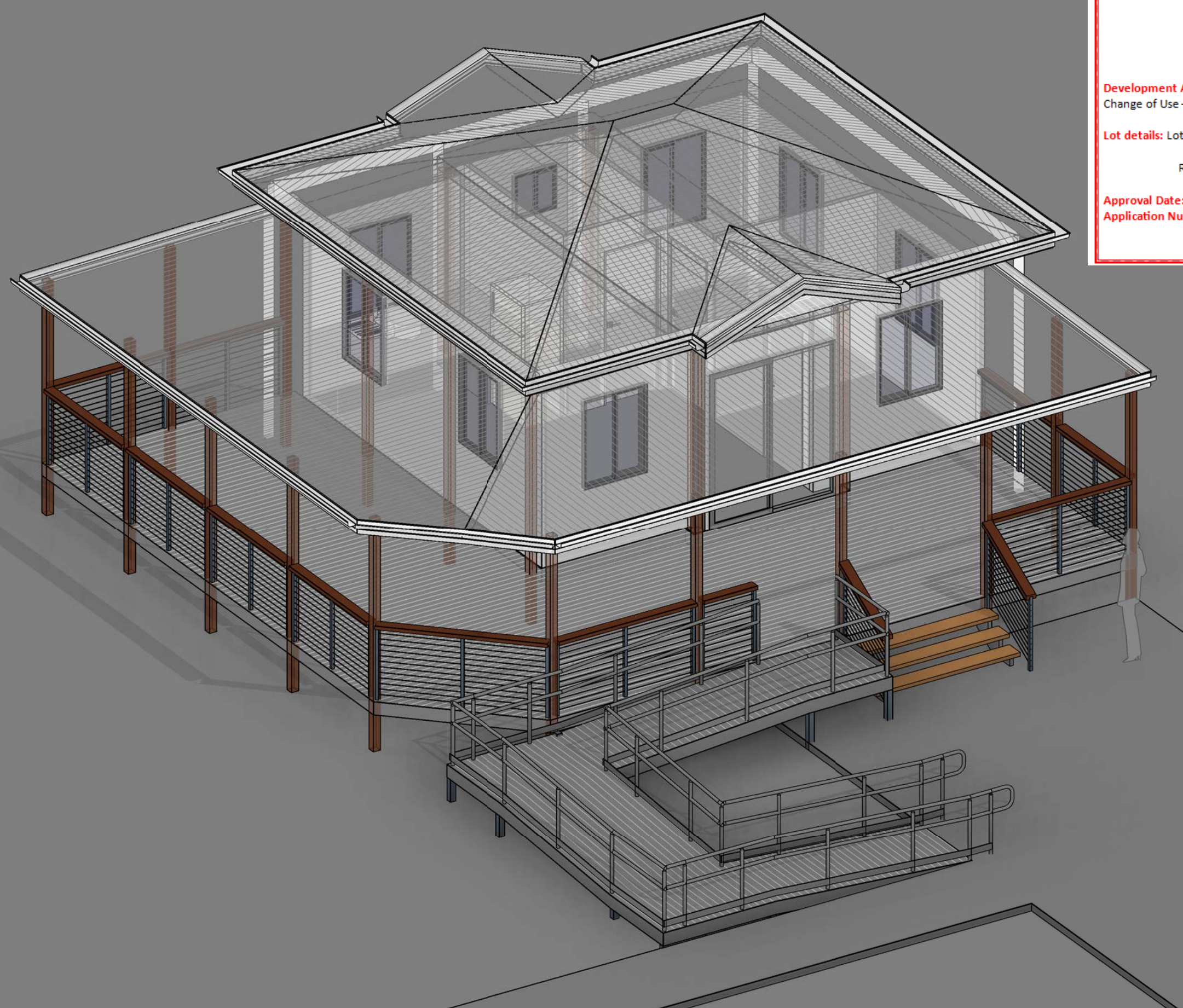
PROPOSED
SHIBA'S PTY LTD
 68 VICTORIA PARADE, THURSDAY ISLAND

NEVELE architects

ABN 31 639 960 704 | Reg No. 5977
 m 0410 633 159 | p 07 42 433 588 | w nevele.com.au
 a shop 5, 116 -118 Reed Road, Trinity Park, Q 4879

No	DATE	DETAILS
1	23/10/2023	PRELIMINARY ISSUE A
A	23/11/2023	ASSESSMENT ISSUE A

DRAWN BY:	CD	JOB No:	11-1719
SCALE:	N.T.S.	SHEET No:	TP01
START DATE:	OCTOBER 2023	REV No:	A
REVISION DATE:	23/11/2023		



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

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PROPOSED
SHIBA'S PTY LTD
68 VICTORIA PARADE, THURSDAY ISLAND

NEVELE architects
ABN 31 639 960 704 | Reg No. 5977
m 0410 633 159 | p 07 42 433 588 | w nevele.com.au
a shop 5, 116 -118 Reed Road, Trinity Park, Q 4879

No	DATE	DETAILS
1	23/10/2023	PRELIMINARY ISSUE A
A	23/11/2023	ASSESSMENT ISSUE A

DRAWN BY:	CD	JOB No:
SCALE:	N/A	11-1719
START DATE:	OCTOBER 2023	SHEET No:
REVISION DATE:	23/11/2023	TP02

REV No:	A
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TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

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TOWN PLANNING NOTES

SITE AREA: 2023m²

BUILT FORM
 EXISTING DWELLING 1 194.40m²
 EXISTING DWELLING 2 174.43m²
 PROPOSED DEVELOPMENT **88.16m²**
TOTAL AREA: 456.99m²

SITE COVERAGE: 22.59%

LANDSCAPE BUFFER: 226m²
EXISTING LANDSCAPING: 1,367m²

PROPERTY INFORMATION

LOT NUMBER **LOT 101**
 PLAN NUMBER **T2071**
 SITE AREA **2023 m²**
 LOCAL GOVERNMENT **TORRES SHIRE**

FLOOD INUNDATION

ALL CONSTRUCTED IS TO BE ABOVE Q-100 FLOOD LEVEL ACCORDING TO LOCAL AUTHORITY REQUIREMENTS.

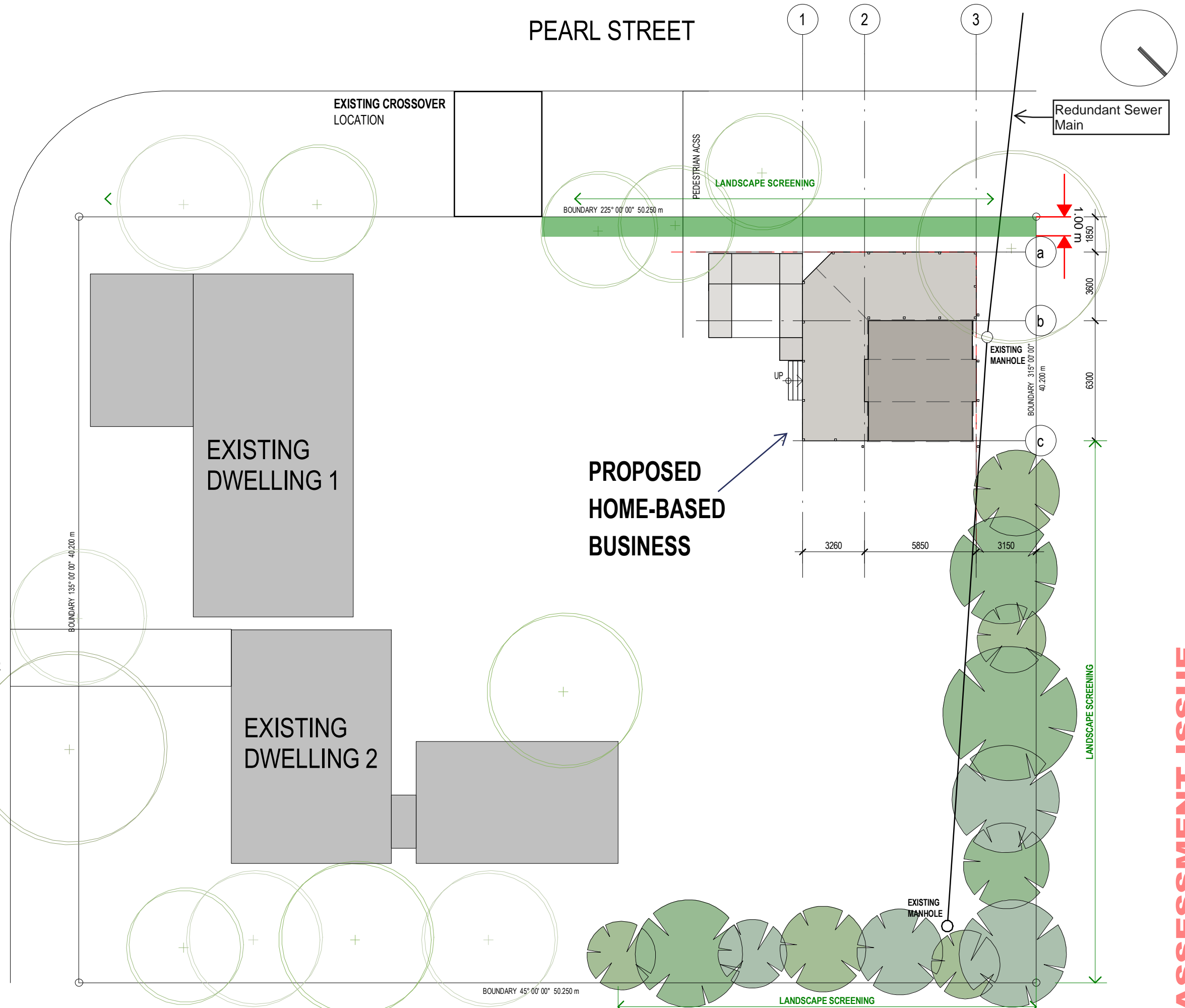
HOUSE DRAINAGE LAYOUT

REFER DRAINAGE PLAN FOR HOUSE DRAINAGE LAYOUT.

SITE NOTES:

- BOUNDARIES BASED UPON SURVEY DRAWING. CONTRACTOR TO CONFIRM ON SITE PRIOR TO ANY CONSTRUCTION.
- EXISTING SERVICES LOCATIONS ARE INDICATIVE ONLY. CONTRACTOR TO VERIFY ON SITE.
- REFER TO SLAB PLAN FOR SETOUT.
- REFER TO SERVICES CONSULTANT DRAWINGS FOR WORKS TO NEW & EXISTING SERVICES.
- VERIFY ALL BEARING AND DIMENSIONS ON SITE PRIOR TO ANY CONSTRUCTION. ALL MISSING PEGS TO BE REINSTATED PRIOR TO ANY CONSTRUCTION. NOTIFY THIS OFFICE IMMEDIATELY OF ANY DISCREPANCIES IN SETOUT DIMENSIONS.
- DISCLOSURE PLAN ONLY. DO NOT START CONSTRUCTION UNTIL BOUNDARIES ARE CONFIRMED.
- APPROXIMATE POSITION OF SEWER JUMP UP. VERIFY POSITION ON SITE PRIOR TO CONSTRUCTION. CONNECT 100Dia LINE TO COUNCIL REQUIREMENTS.
- THE FILL USED ON THIS SITE WILL HAVE CONTROLLED PLACEMENT.

SITE PLAN
 SCALE 1 : 200



ASSESSMENT ISSUE

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 3. DO NOT SCALE FROM DRAWINGS.
 4. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION OF ANY SHOP DRAWINGS.
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PROPOSED RESIDENCE
SHIBA'S PTY LTD
 68 VICTORIA PARADE, THURSDAY ISLAND

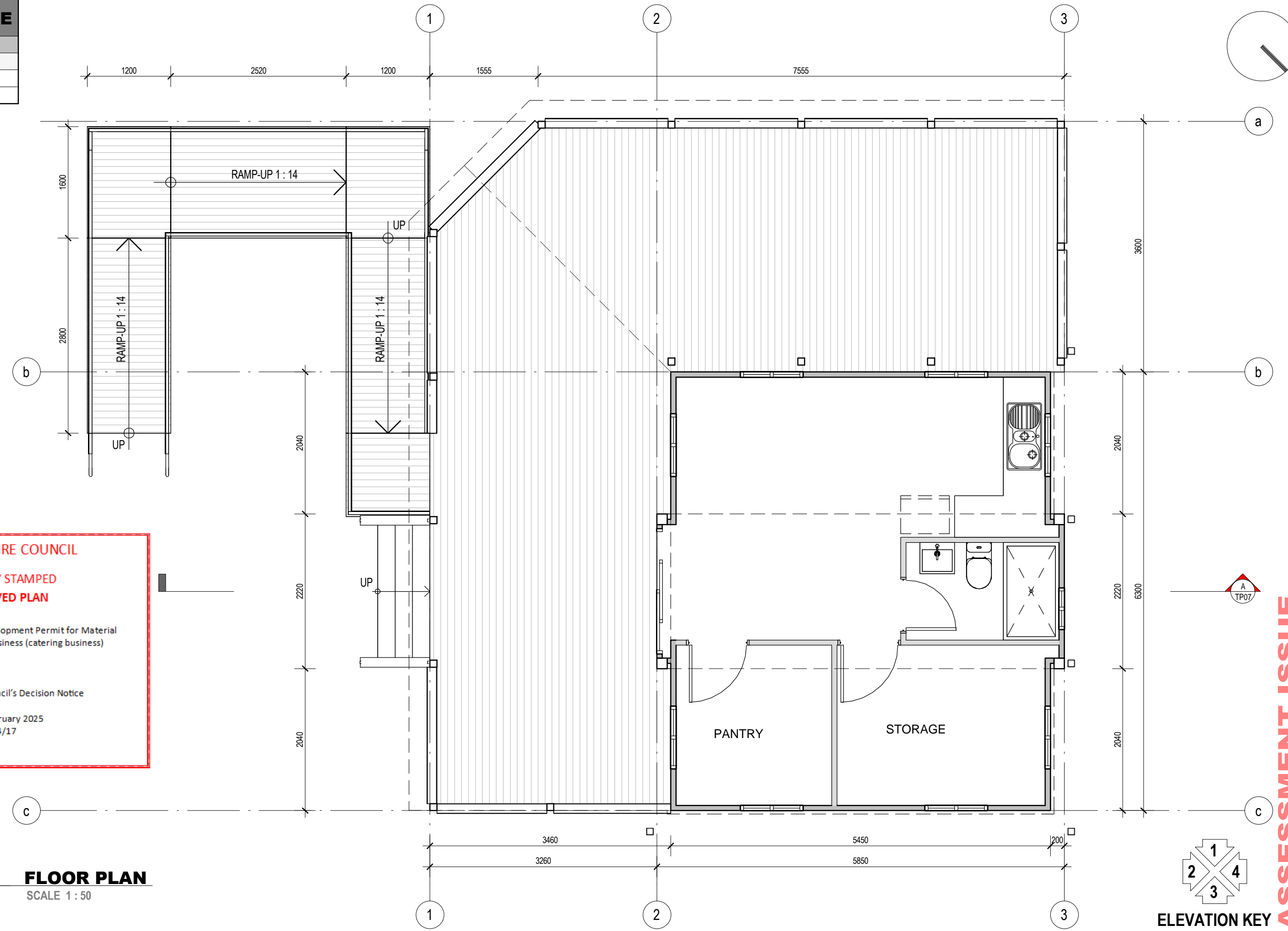
NEVELE architects
 ABN 31 639 960 704 | Reg No. 5977
 m 0410 633 159 | p 07 42 433 588 | w nevele.com.au
 a shop 5, 116 -118 Reed Road, Trinity Park, Q 4879

No	DATE	DETAILS
1	23/10/2023	PRELIMINARY ISSUE A
A	23/11/2023	ASSESSMENT ISSUE A

DRAWN BY: CD
SCALE: 1 : 200
START DATE: OCTOBER 2023
REVISION DATE: 23/11/2023

JOB No: 11-1719
SHEET No: TP03
REV No: A

AREA SCHEDULE	
ROOM NAME	AREA
INTERNAL	35.22 m ²
DECK	52.94 m ²
TOTAL AREA	88.16 m ²



TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

Referred to in Council's Decision Notice

Approval Date: 18 February 2025
Application Number: IDAS 24/17

FLOOR PLAN
 SCALE 1 : 50

ASSESSMENT ISSUE

1. ALL DESIGN, CONSTRUCTION METHODS AND MATERIALS TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND CODES.
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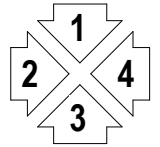
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DRAWN BY: CD
SCALE: 1 : 50
START DATE: OCTOBER 2023
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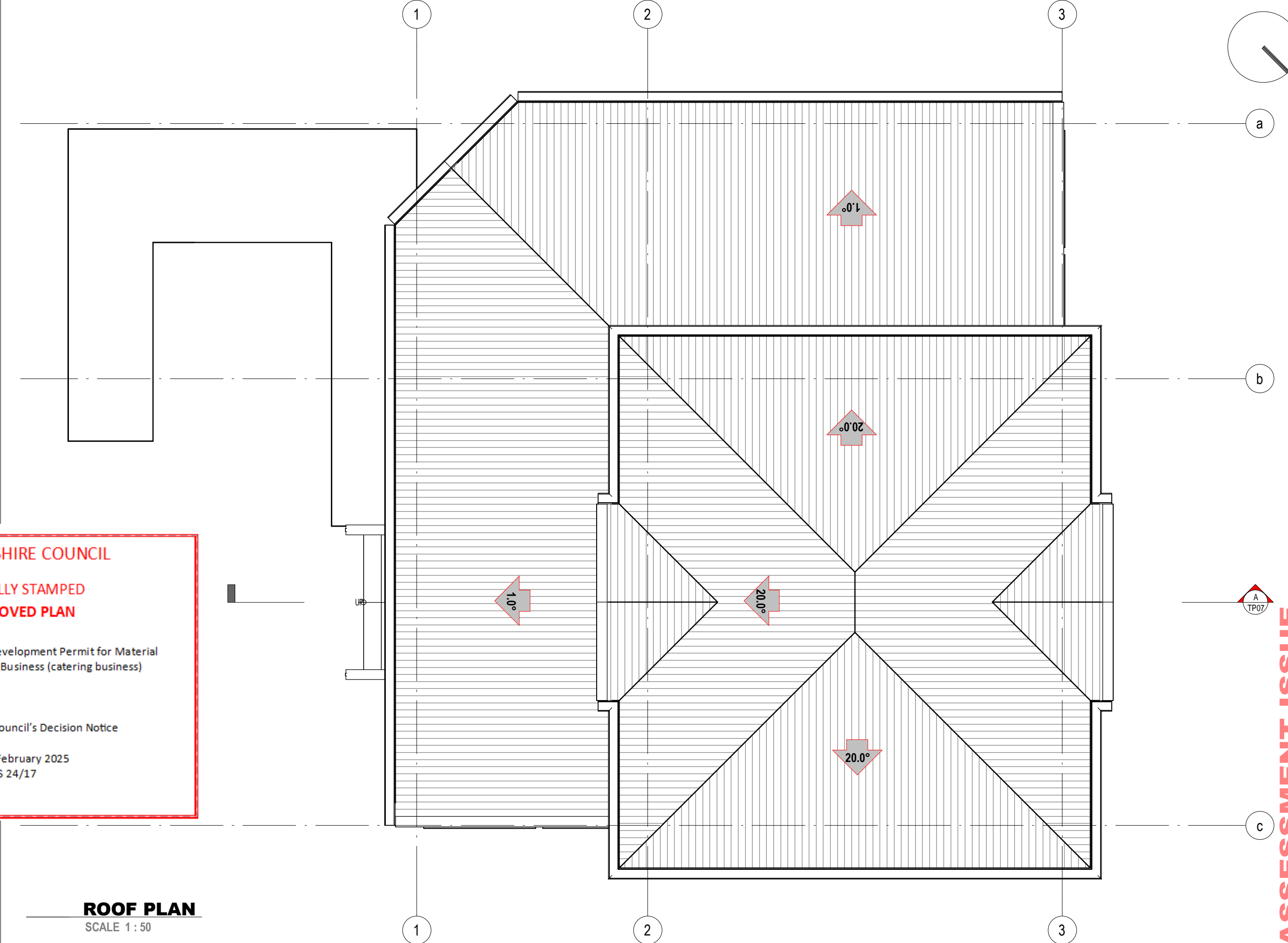
JOB No: 11-1719
SHEET No: TP04
REV No: A



ELEVATION KEY

ROOF NOTES:

- 1. REFER TO HYDRAULIC DRAWINGS FOR ROOF PENETRATIONS WHERE PROVIDED.
- 2. REFER TO ELECTRICAL DRAWINGS FOR ROOF MOUNTED SATELLITE DISHES AND THE LIKE.
- 3. ENSURE ROOF MOUNTED EQUIPMENT IS COMPATIBLE WITH SPECIFIED ROOFING MATERIALS.
- 4. POSITION OF DOWNPIPES INDICATIVE ONLY - CONFIRM LOCATION WITH SUITABLY QUALIFIED HYDRAULIC PROFESSIONAL. ALLOW MINIMUM OF 90mm uPVC DOWNPIPES 1 PER 35 SQ.M.



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

Referred to in Council's Decision Notice

Approval Date: 18 February 2025
Application Number: IDAS 24/17

ROOF PLAN
SCALE 1 : 50

ASSESSMENT ISSUE

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A	23/11/2023	ASSESSMENT ISSUE A

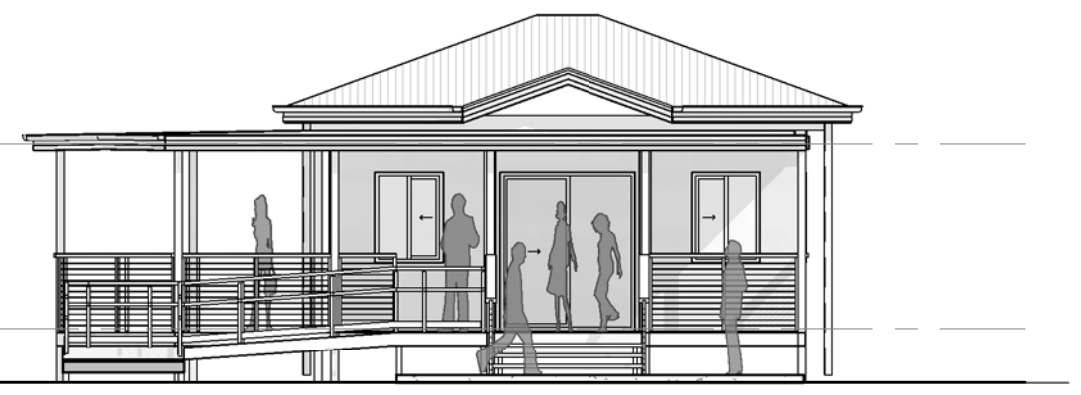
DRAWN BY:	CD
SCALE:	1 : 50
START DATE:	OCTOBER 2023
REVISION DATE:	23/11/2023

JOB No:	11-1719
SHEET No:	TP05
REV No:	A

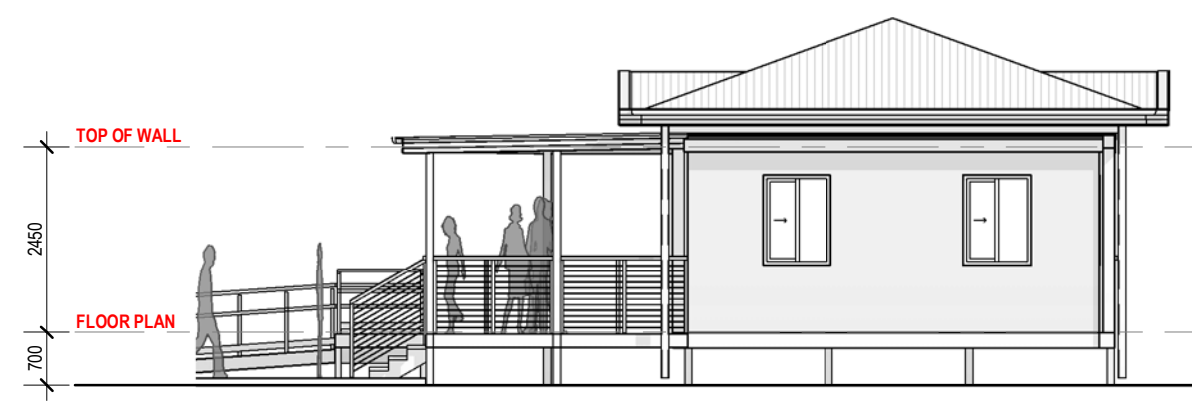
NOTES:
 STAIRS AND BALUSTRADE TO COMPLY WITH NCC 3.9.1 AND 3.9.2 INCLUDING SLIP RESISTANCE REQUIREMENTS FOR STAIR TREADS.



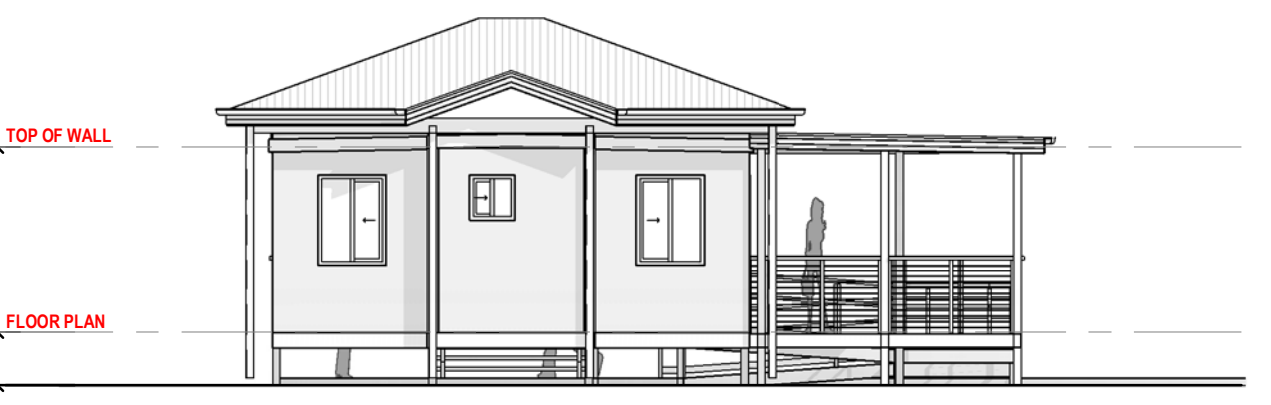
ELEVATION 1
 SCALE 1 : 100



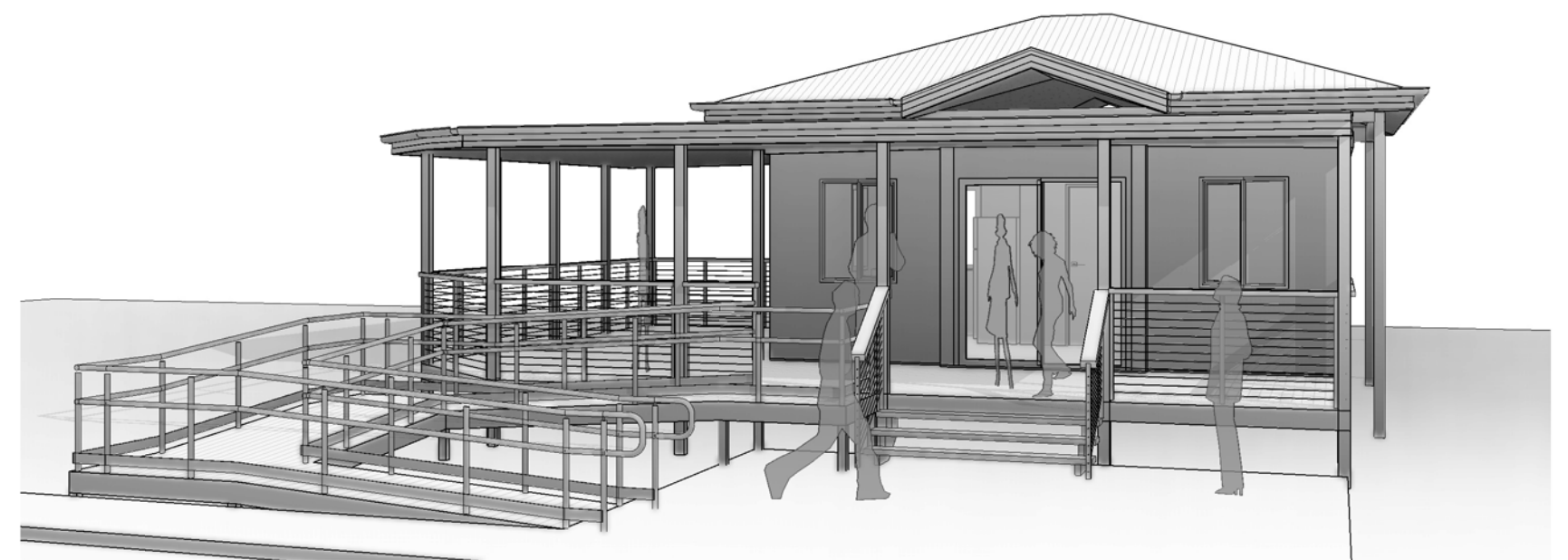
ELEVATION 2
 SCALE 1 : 100



ELEVATION 3
 SCALE 1 : 100



ELEVATION 4
 SCALE 1 : 100



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
 APPROVED PLAN**

Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

Referred to in Council's Decision Notice

Approval Date: 18 February 2025
Application Number: IDAS 24/17

ASSESSMENT ISSUE

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No	DATE	DETAILS
1	23/10/2023	PRELIMINARY ISSUE A
A	23/11/2023	ASSESSMENT ISSUE A

DRAWN BY:	CD	JOB No:
SCALE:	1 : 100	11-1719
START DATE:	OCTOBER 2023	SHEET No:
REVISION DATE:	23/11/2023	TP06

REV No:	A
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NOTES:

1. STAIRS AND BALUSTRADE TO COMPLY WITH NCC 3.9.1 AND 3.9.2 INCLUDING SLIP RESISTANCE REQUIREMENTS FOR STAIR TREADS.
2. ROOFING TO BE INSTALLED TO PREVENT WATER PENETRATION INTO THE BUILDING STRUCTURE. (NCC VOL 2 PART 2.2).

TERMITE CONTROL - AS3600.1

CONCRETE SLAB TO HAVE TERMITE RESISTANT MATERIALS USED TO ALL SLAB PENETRATIONS OR ALL STRUCTURAL TIMBER & TRUSSES TO BE TERMITE RESISTANT GRADE OR BE TREATED FOR TERMITE RESISTANCE (H2 INTERNAL, H3 EXTERNAL HAZARD LEVEL) IF CHEMICAL BARRIER USED ON GROUND NOTE LIFE EXPECTANCY KEEP GARDEN BEDS A MINIMUM OF 1 METRE AWAY FROM ALL EXTERNAL WALLS. 2 DURABLE NOTICES ARE TO BE INSTALLED IN PROMINENT LOCATIONS IN BUILDING e.g METER BOX & PANTRY STATING METHOD OF PROTECTION USED & DATE INSTALLED. ALL PRIMARY BUILDING ELEMENTS (SKIRTING, ARCHITRAVES, JAMBS, ETC) ARE TO BE PROTECTED AGAINST TERMITE INFESTATION IN ACCORDANCE WITH A.S 3600.1. OWNER IS TO VISUALLY INSPECT AROUND HOUSE FOR TERMITE ACTIVITY EVERY 12 MONTHS MINIMUM & TAKE PRECAUTIONS IF REQUIRED.

TORRES SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

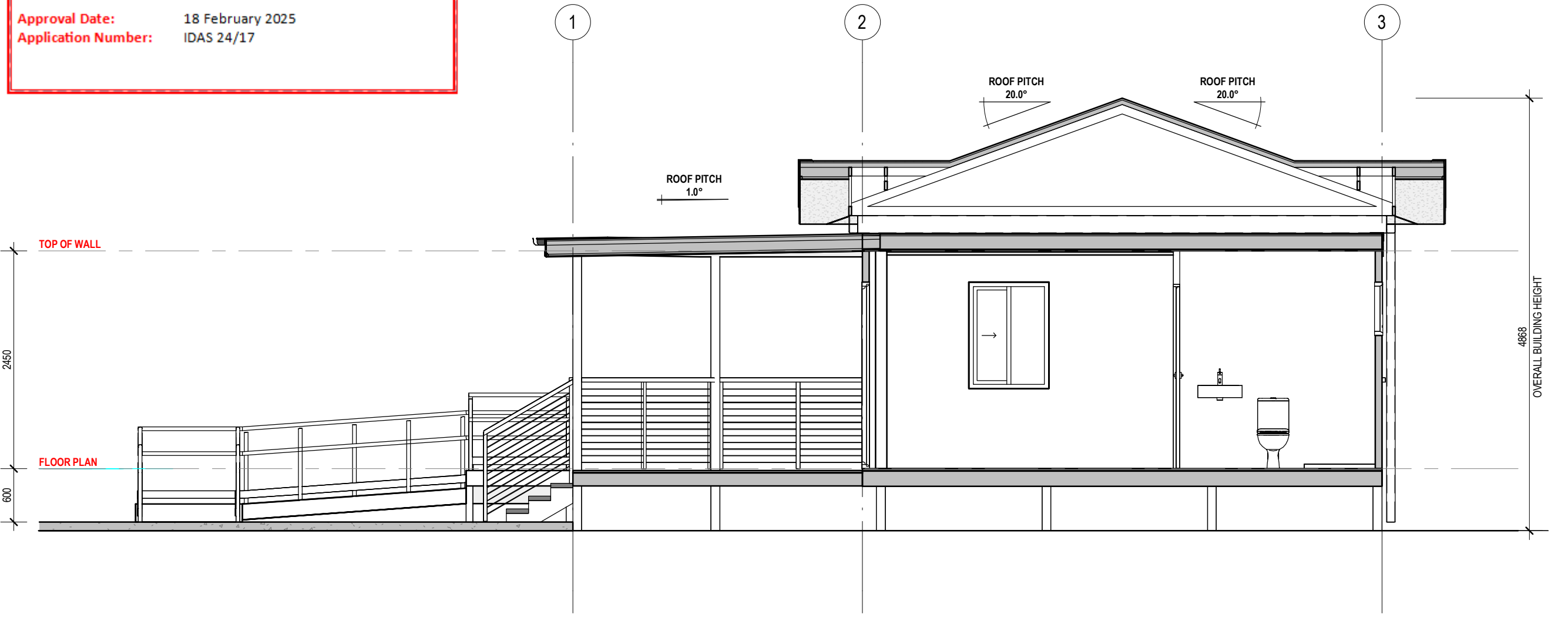
Development Application: Development Permit for Material Change of Use — Home Based Business (catering business)

Lot details: Lot 101 T2071

Referred to in Council's Decision Notice

Approval Date: 18 February 2025

Application Number: IDAS 24/17



A SECTION A-A
TP04 SCALE 1 : 50

ASSESSMENT ISSUE

ALL PRIMARY BUILDING ELEMENTS TO BE TERMITE RESISTANT.

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No	DATE	DETAILS	DRAWN BY:	JOB No:
1	23/10/2023	PRELIMINARY ISSUE A	CD	11-1719
A	23/11/2023	ASSESSMENT ISSUE A	SCALE: 1 : 50	
			START DATE: OCTOBER 2023	SHEET No: TP07
			REVISION DATE: 23/11/2023	REV No: A

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	IDAS24/17
Applicant:	Peter James Lawrie c/ Urban Sync Pty Ltd
Proposal:	Development Permit for Material Change of Use
Description of the Development:	Home Based Business (catering business)
Street Address:	68 Victoria Parade, Thursday Island
Real Property Description:	Lot 101 on T2071
Planning Scheme:	Torres Shire Council Planning Scheme 2022 (Version 1)
Land Zoning:	Low-Medium Density Residential
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Material Change of Use for a Home Based Business (catering business)
Date of Decision:	18 February 2025

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Categorising Instrument (*Planning Regulation 2017*)

This application did not trigger any matters prescribed by the regulation

Categorising Instrument (*State Planning Policy - July 2017*)

Local Categorising Instrument (*Torres Shire Council Planning Scheme 2022*):

Standard Outcomes

- Low- Medium Density Residential zone
- Home-Based Business

- Landscaping
- Parking, Access and Transport
- Works, Services and Infrastructure
- Airport Environs Overlay
- Coastal Hazard Overlay
- Potential and Actual Acid Sulfate Soils Overlay

Merit Outcomes

- General
- Amenity and Privacy
- Built Form and Development Design
- Natural Hazards including Climate Change

Local Categorising Instrument (Variation Approval)

- Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

- Not applicable.

PUBLIC NOTIFICATION

Not applicable – no part of the application required public notification.

REASONS FOR THE DECISION

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

- (a) The proposal is compliant with the assessment benchmarks and consistent with the Torres Shire Council Planning Scheme 2022.
- (b) The proposed home-based business for food catering is an acceptable scale and use associated with the existing dwelling house.
- (c) The operation of the use will not have an adverse impact on the amenity of the adjoining land uses.
- (d) The approval can be appropriately conditioned requiring related building and plumbing and drainage approvals within a prescribed timeframe.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not applicable.

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not applicable.

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not applicable.

OTHER DETAILS

If you wish to obtain more information about Council's decision, please refer to Council's webpage at <https://www.torres.qld.gov.au/development-applications-1>

APPEAL RIGHTS

(Planning Act 2016 & Planning Regulation 2017)

Attached under separate cover (this page has been intentionally left blank)

- (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 a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (f) 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
 - (g) 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) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) 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—

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
1. Development applications For a development application other than an excluded application, an appeal may be made against— <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	<ol style="list-style-type: none"> 1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
<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 or made to the chief executive under section 87A, 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>			

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 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
<p>7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i></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 local government that gave the enforcement notice	—	—

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>

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 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			
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>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—</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>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>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</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 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>			

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)
<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> <p>3 If the decision is to amend the registration of premises to include additional land in the affected area for the premises—an owner or occupier of premises within the additional land who is dissatisfied with the decision</p>	<p>The Minister</p>	<p>—</p>	<p>If an owner or occupier starts the appeal—the owner of the registered premises</p>

Table 2 Appeals to the P&E Court only			
<p>6. Local laws</p> <p>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>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>A person who—</p> <p>(a) applied for the decision; and</p> <p>(b) is dissatisfied with the decision or conditions.</p>	<p>The local government</p>	<p>—</p>	<p>—</p>

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>

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 building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval
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.			
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	—	—
3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against— <ul style="list-style-type: none"> (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 (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. 			

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 received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Failure to decide an application or other matter under the Building Act</p> <p>An appeal may be made against a failure to make a decision under the Building Act within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, 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 notice of the decision	The entity that failed to make the decision	—	—
<p>5. Failure to decide 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> within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.</p>			