

Council File Reference: 051819
Council Contact: Brett Walsh
Council Contact Phone: 07 4651 5600

30 October 2018

FTI Consulting
C/- Mr Andrew Bell
Murray & Associates (QLD) Pty Ltd
PO Box 665
EMERALD QLD 4720

Development Application

Development Permit - Reconfiguring a Lot (one (1) into two (2) lot rural subdivision)

Lot 2 on BE87, 6845 Craven Road, Beaufort Qld 4724

We refer to the assessment of the abovementioned development application.

Pursuant to section 83 of the *Planning Act 2016*, please find enclosed the ***Decision Notice***.

If you have any queries please contact Brett Walsh at the Barcardine Administration Office.

Yours faithfully



For
Steven Boxall
Chief Executive Officer

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 23 October 2018, Barcaldine Regional Council decided to approve the application in full, subject to conditions (refer to the conditions contained in **Attachment 1**). Details of the decision are as follows:

1. APPLICATION DETAILS

Application Number: 051819
Properly Made Date: 22 August 2018
Decision Date: 23 October 2018
Planning Scheme: Jericho Planning Scheme 2006 (Version 2)

2. APPLICANT DETAILS

Name: FTI Consulting
Postal Address: C/- Mr Andrew Bell
Murray & Associates (QLD) Pty Ltd
PO Box 665
EMERALD QLD 4720
Email Address: andrewb@mursurv.com

3. PROPERTY DETAILS

Street Address: 6845 Craven Road, Beaufort
Real Property Description: Lot 2 on BE87
Local Government Area: Barcaldine Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Reconfiguring a Lot (one (1) into two (2) lot rural subdivision)

5. APPROVED PLANS AND DOCUMENTS

A copy of the following plan is enclosed:

Plan Title	Prepared by	Date
Proposed Subdivision of Lot 2 on BE87, Job number 61331 ad reference 8251-22343	Murray & Associates	07/08/2018

6. CURRENCY PERIOD

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*: for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—

- (i) the period stated for that part of the approval; or
- (ii) (ii) if no period is stated—4 years after the approval starts to have effect;

7. PROPERLY MADE SUBMISSIONS

Not applicable - the application was Code Assessable development and therefore no part of the application required public notification.

8. REFERRAL AGENCIES

Not applicable – the application did not require any State agency referral.

9. FURTHER DEVELOPMENT PERMITS REQUIRED

Not applicable – no further development permits are required.

10. RIGHTS OF APPEAL

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

11. DELEGATED PERSON

Name: Steven Boxall

Signature:



Date: 29 October 2018

Encl: Attachment 1 – Conditions of the approval
Attachment 2 – Stamped Approved Plans
Attachment 3 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*)
Attachment 4 – Statement of Reasons

Attachment 1

Conditions of the approval

1.0 ENDORSEMENT OF SURVEY PLAN

1.1 Council will not endorse or release the survey plan for this development until such time as:

- (a) All conditions attached to this development approval for Reconfiguring a Lot have been fully satisfied;
- (b) A statement demonstrating compliance with all conditions attached to this development approval has been submitted to Council; and
- (c) All outstanding rates and charges relating to the site have been paid.

2.0 APPROVED PLANS AND DOCUMENTS

2.1 The approved development must be completed and maintained generally in accordance with the approved plan of development *Proposed Subdivision of Lot 2 on BE87*, job number 61331 with reference 8251-22343, dated 07/08/2018 and prepared by Murray & Associates.

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 BUSHFIRE

3.1 Construct and maintain the driveway to the house on approved Lot 1 to provide continuous access for fire fighting and other emergency vehicles in accordance with *Schedule 1, Division 6: Standards for Roads in Bushfire Hazard Areas, Firebreaks and Fire Maintenance Trails* (section 6.2) of the *Jericho Shire Planning Scheme 2006*. The fire maintenance trail must meet the following requirements:

- (a) has a minimum cleared width of 6 metres;
- (b) has a minimum formed width of 4 metres;
- (c) has a vertical clearance of a minimum of 4 metres;
- (d) has a maximum gradient of 1 in 4;
- (e) is constructed and maintained to prevent erosion and provide continuous access for fire fighting and other emergency vehicles; and
- (f) provides a cleared turn-around area to allow for the turning of fire fighting and other emergency vehicles.

3.2 Approved Lot 1 is provided with an on-site water storage, dedicated or retained for fire fighting purposes that is made of fire resistant materials and is:

- (a) a separate tank; or
- (b) a reserve section in the bottom part of a main water supply tank; and
- (c) has a water capacity of 20,000 litres.

4.0 EROSION AND SEDIMENT CONTROL

4.1 Install, monitor and amend where necessary erosion and sediment control measures during all phases of the development to ensure all reasonable and practicable measures are taken to prevent environmental harm.

5.0 FLOODING

5.1 Ensure that the minimum habitable floor levels of all new buildings are at least 300mm above the highest known flood event at the time of obtaining the development permit for building work.

6.0 ELECTRICITY

6.1 Prior to Council's approval of the survey plan, submit certification from a cadastral surveyor or engineer that certifies:
(a) that an electrical connection has been provided to the existing houses on approved Lots 1 and 2.
(b) that all redundant electrical connections have been removed and the land reinstated.

7.0 STORMWATER MANAGEMENT

7.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage or nuisance to other land or infrastructure.

8.0 PUBLIC UTILITIES

8.1 The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit.

8.2 Any alteration of any public utility or other facilities necessitated by the development of the land or associated construction works external to the site shall be at no cost to Council.

8.3 Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council's Delegated Officer and at no cost to Council prior to the sealing of the Survey Plan.

ADVISORY NOTES

1. The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
2. Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
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 Council 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 Council.

4. General environmental duty under the Environmental Protection Act 1994 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 cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").
6. The proposed development is affected by regulated vegetation. Under the *Planning Regulation 2017, Vegetation Management Act 1999* and other relevant legislation, vegetation clearing requirements may apply and should be investigated prior to the commencement of any construction works in regulated vegetation areas.
7. An operational works permit is not required as a result of this application, such as for Sediment and Erosion Control.

Attachment 4

Statement of Reasons

Notice about decision Statement of reasons

PLANNING ACT 2016, SECTION 63(5)

Description of the Development	Development Application (Code assessable) - Reconfiguring a Lot (Development Permit) for a rural subdivision – one (1) lot into two (2) lots
Application number	051819
Address	6845 Craven Road, Beaufort QLD 4724
Property description	Lot 2 on BE87
Type of approval	Development Permit for Reconfiguring a Lot
Decision	Approved in full with conditions
Date of approval	23 October 2018
Reasons for Decision	<p>a) The proposed lot sizes are appropriate for the Rural Zone, in that two existing rural enterprises located on the subject site will continue their operations unimpeded by the proposed subdivision.</p> <p>b) As the proposed lot sizes are consistent with the minimum lot size for Good Quality Agricultural Land in the Rural Zone (3,000 hectares) the proposal is not required to demonstrate that there is overriding community need. Notwithstanding this, the application material includes findings that demonstrate that the proposed development enables the land to continue to be used for rural pursuits.</p> <p>c) Through conditioning, the proposed development will ensure that bush fire hazard, flood hazard and erosion control measures are implemented to reduce the risks to persons and property during a natural disaster event.</p> <p>d) The development does not compromise the relevant elements of the Central West Regional Plan and State Planning Policy.</p>
Assessment Benchmarks	<p>The Proposed Development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> ▪ Reconfiguring a Lot Code – Part 5 of the <i>Jericho Shire Planning Scheme 2006</i> (Version 2, effective from 29 November 2013)
Compliance with Benchmarks	<p>The development is assessed against the assessment benchmarks listed above and complies.</p> <ul style="list-style-type: none"> ▪ The site is included in the Good Quality Agricultural Land area, as shown on the Land Characteristic Map – Good

Quality Agricultural Land of the Planning Scheme and the proposed subdivision complies with the minimum lot size of 3,000 hectares.

- The proposed lot configuration does not comply with acceptable solution AS3.1 as follows:
 - Proposed Lot 1 has a road frontage of approximately 88 metres which is approximately 712 metres less than the acceptable solution. It is understood that the proposed lot layout takes into consideration the existing operations of the two (2) rural pursuits occupying the site and that the frontage for Lot 1 is sited over an existing access track which is used to access the existing dwelling house.
 - The proposed subdivision does not achieve the assessment bench for the width to dept ratio of 1:5.

Despite the conflict with the acceptable solution AS3.1 the application has provided supporting information to demonstrate that the proposed subdivision layout complements the existing rural enterprises occurring on the land and each new lot is provided with sufficient infrastructure and services to accommodate a carrying capacity of 665 livestock standard units (LSU) on proposed Lot 1 and 770 LSU on proposed Lot 2.

- The subdivision satisfies a need in the sense that the subdivision will ensure that two separate livestock enterprises can continue to operate in the region.
- The layout and design of the subdivision will not compromise the safety or legibility of vehicles within the local road network. The subdivision is designed to utilise the existing road reserve without compromising the safety or efficiency of vehicles or pedestrians. The subdivision layout has been designed having regard to the existing rural enterprises and associated improvements sited on the land, as well as soil types and topography. The application material has demonstrated that the subdivision layout allows for a fair proportion of land to be provided to each rural enterprise whilst ensuring sufficient land is provided for future viable rural pursuits.
- The proposed lots are a sufficient size to allow for any future buildings and structures to have appropriate separation distances from:
 - Watercourse and lakes;
 - Ridgelines and escarpments;
 - Cultural and heritage places;
 - Protected areas; and
 - Hazardous vegetation.
- Conditions have been imposed to ensure each lot is provided with all necessary infrastructure and services for land in the Rural zone.
- It is deemed that the proposed subdivision will not adversely affect the environmental values of regulated vegetation as no works are proposed. Any future clearing works must be considered separately to this application, for which a permit/s under relevant legislation will most likely be required. This is addressed in Advisory Note F of the recommendation.

	<ul style="list-style-type: none"> ▪ Conditions have been imposed to ensure erosion control measures and silt collection measures are implemented during construction activities to protect environmental values in and around the development areas.
Matters prescribed by Regulation	<ul style="list-style-type: none"> -The Central West Regional Plan, to the extent the Regional Plan is not identified in the Planning Scheme as being appropriately reflected in the Planning Scheme; -The State Planning Policy, to the extent the SPP is not identified in the Planning Scheme as being appropriately reflected in the Planning Scheme; -Any development approval for, and any lawful use of, the premises or adjacent premises; and -The common material.
Relevant matters for impact assessable development	Not applicable – the proposal was subject to code assessment.
Matters raised in submissions for impact assessable development	Not applicable – the proposal did not require public notification.

If you find an inaccuracy in any of the information provided above or have an enquiry or seek clarification about any of these details, please contact Council.

Yours faithfully,



Steven Boxall
Chief Executive Officer

Attachment 2 - Extract of Appeal Provisions

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- (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 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.

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- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and

[s 231]

- (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (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 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, 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.

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

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- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the Plumbing and Drainage Act; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

Schedule 1

- (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	<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, 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>			

<p align="center">Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</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 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 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 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			
<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>			

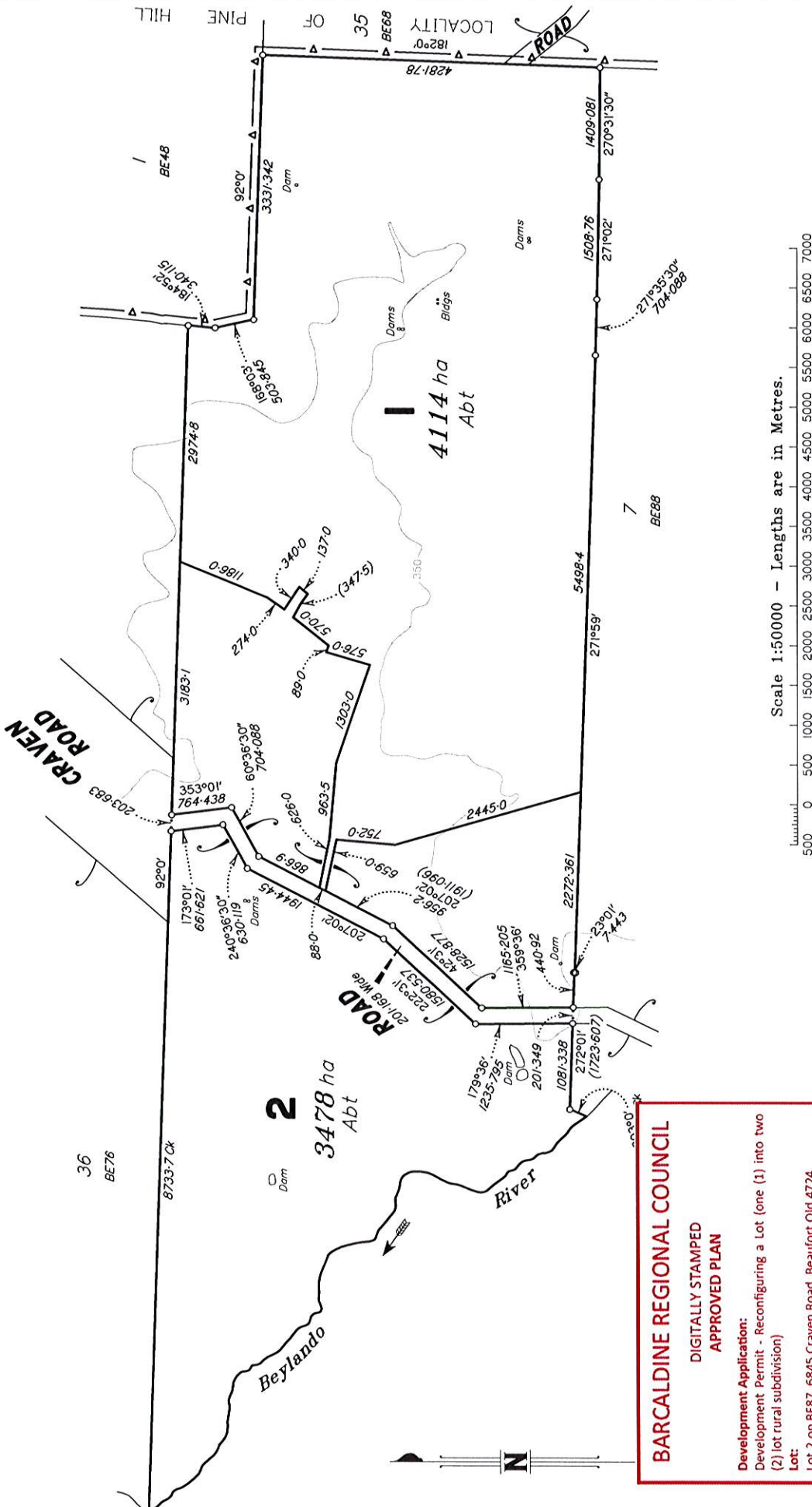
Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
<p>5. Registered premises</p> <p>An appeal may be made 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</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>			

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>I. 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 Plumbing and Drainage Act 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 Plumbing and Drainage Act, part 4 or 5, 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 person who 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	—	—



BARCALDINE REGIONAL COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application:
Development Permit - Reconfiguring a Lot (one (1) into two (2) lot rural subdivision)

Lot:
Lot 2 on BE87, 6845 Craven Road, Beaufort Qld 4724

Referred to in Council's Decision Notice

Approval Date: 29 October 2018
Application Number: 051819

and subject to final Survey and Council approval. 50m Contours are Old Globe orthophoto derived.

MURRAY & M ASSOCIATES
SURVEYORS & TOWN PLANNERS
1/17 Opal St, Emerald 4720. Ph: (07) 4987 5363 P.O. Box 665
Branch Offices at Nambour, Chinchilla, Roma, Gympie & Caboolture

CAADSTRAL SURVEYOR

CLIENT FTI Consulting

LOCALITY	Beaufort	MAP REF.	8251-22343
DATE	7/08/2018	LEVEL	DA datum ASSUMED
FILE	6133L (Proposal)_FTI.dwg		
DRAWN	ARB	CHECKED	ORIGINAL
SCALE	1:50000		JOB No 61331

PLAN OF DEVELOPMENT

Proposed Subdivision of Lot 2 on BE87

LOCAL AUTHORITY: BARCALDINE REGIONAL COUNCIL

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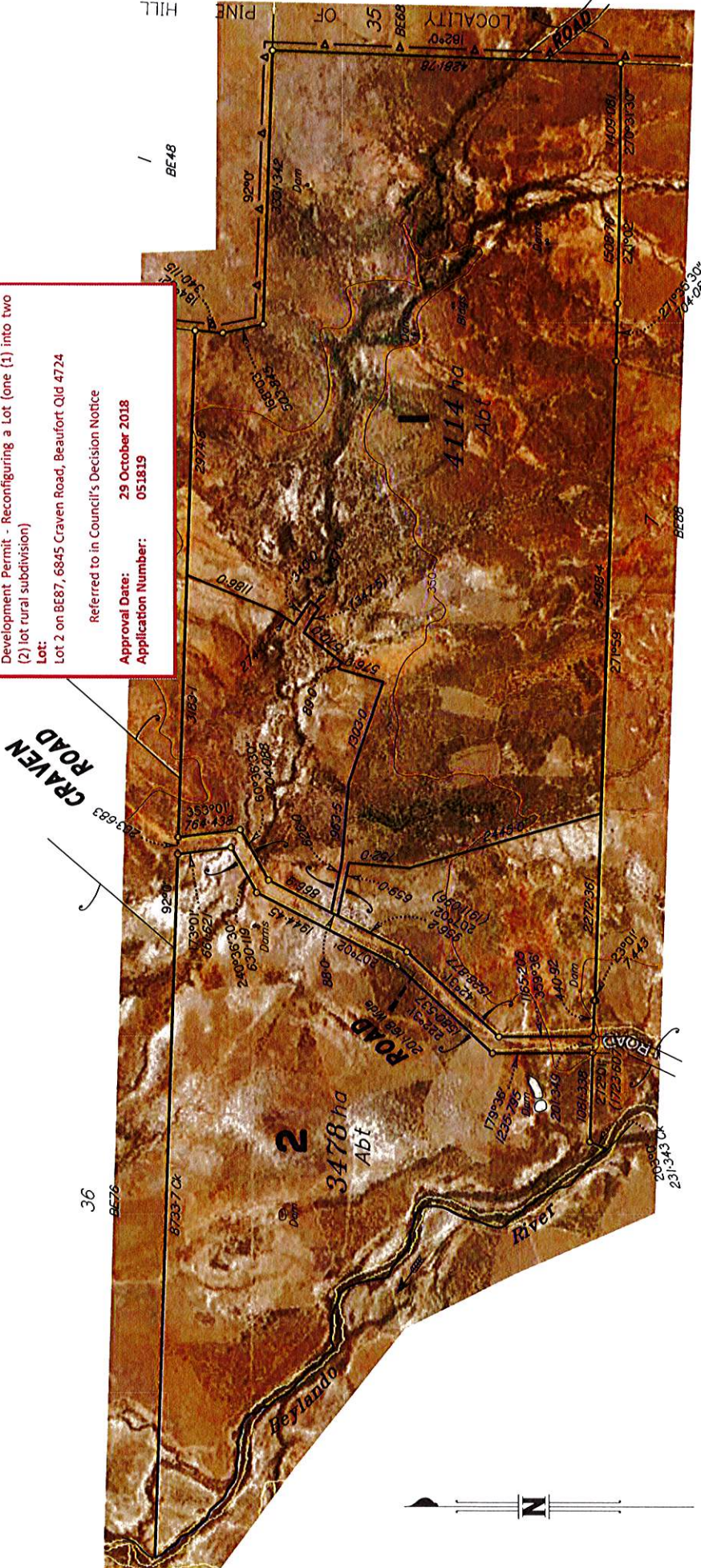
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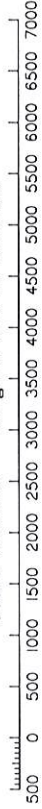
051819

AERIAL IMAGE SUPPLIED BY

Google earth



Scale 1:50000 - Lengths are in Metres.



Areas and dimensions are approximate only and subject to final Survey and Council approval. 50m Contours are Old Globe orthophoto derived.

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