

14 November 2025

Planning Officer: Carl Ewin
Direct Phone: 07 4086 4656
Our Reference: MCU/25/0018
Your Reference: DA/25/0018

G & T Iacutone
C/- Northern Building Approvals
3B Margherita Close
MAREEBA QLD 4880

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 13 November 2025, under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/25/0018
Street Address:	4079 Kennedy Highway, Mareeba
Real Property Description:	Lot 258 on RP903072
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use – Dwelling House (Secondary Dwelling)
Date of Decision:	13 November 2025

CURRENCY PERIOD OF APPROVAL

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

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "**necessary infrastructure condition**" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

- (a) Development assessable against the Planning Scheme
1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
 2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
 - 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.
 3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure within the conditions of approval.
 - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

4. Infrastructure Services and Standards

4.1 On-site Sewerage Disposal

Any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
25015 Sheet 02 Rev 5	Site Plan	Stratus Building Design	25/10/2025
25015 Sheet 03 Rev 5	Floor Plan	Stratus Building Design	25/10/2025
25015 Sheet 04 Rev 5	Elevations	Stratus Building Design	25/10/2025
25015 Sheet 05 Rev 5	Elevation	Stratus Building Design	25/10/2025
25015 Sheet 06 Rev 5	Perspective Views	Stratus Building Design	25/10/2025

ASSESSMENT MANAGER'S ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

- (a) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning

Scheme Codes to the extent they have not been varied by a condition of this approval.

(b) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(c) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au

(d) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the “cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

(e) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a ***general biosecurity obligation***) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](http://Electric%20ants%20in%20Queensland%20-%20Business%20Queensland) or contact Biosecurity Queensland 13 25 23.

FURTHER DEVELOPMENT PERMITS REQUIRED

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

SUBMISSIONS

Not Applicable.

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.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully



BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents

ITEMS FOR SUBJECT BUILDING TO SATISFY AS 3959-2018: BAL 12.5

NOTE: AUTHORIZED BUILDING CERTIFIER TO VERIFY WITH THEIR RISK ASSESSMENT THE REQUIRED CONSTRUCTION EXTENT TO SATISFY AS3959-2018.

SECTION 5.4.1 & 5.4.2: WALLS AND WALL JOINTS

- BE OF NON-COMBUSTIBLE MATERIAL AS THE STANDARD STATES (25. CLADDING OF 6mm FIRE-CEMENT, ALL JOINTS IN THE EXTERNAL SURFACE MATERIAL OF WALLS SHALL BE COVERED, SEALED, OVERLAPPED, BAYED OR BUTT-JOINTED TO PREVENT GAPS GREATER THAN 3mm)

SECTION 5.5.1: SCREENS FOR WINDOWS AND DOORS

- WHERE FITTED TO DOORS AND WINDOWS, SCREENS MADE OF CORROSION-RESISTANT STEEL OR ALUM. WITH MAXIMUM APERTURE OF 20mm.
- FRAMES MADE FROM METAL.

SECTION 5.5.2: WINDOWS

- WINDOW ASSEMBLIES MADE OF METAL WITH THE OPENABLE PORTIONS TO BE SCREENED INTERNALLY OR EXTERNALLY WITH COMPLIANT SCREENS.

SECTION 5.5.3: SIDE-HINGED EXTERNAL DOORS

- INSTALL AT BASE A WEATHERSTRIP, DRAUGHT EXCLUDER OR DRAUGHT SEAL.
- WHERE GLAZING IS IN DOOR, FRAME TO BE METAL AND BE TIGHT FITTING WITH IN-METAL FRAME OR TIMBER FRAME WITH BUSHHIRE COMPLIANT CERTIFICATE.
- GLAZING WITHIN 400mm OF GROUND/OUTSIDE FLOOR TO BE OF GRAB-A-SAFETY GLASS (MIN. 4mm) OR BE ANNULSED GLASS OR PROTECTED EXTERNALLY BY A COMPLIANT SCREEN.

SECTION 5.5.4: SLIDING EXTERNAL DOORS - METAL FRAMED GLAZED TYPE

- BOTH THE DOOR FRAME SUPPORTING THE SLIDING DOOR AND THE FRAMING SURROUNDING ANY GLAZING TO BE METAL.
- GLAZING TO BE OF GRAB-A-SAFETY GLASS, COMPLYING WITH AS1288.

SECTION 5.6.1: ROOFS GENERAL

- ROOF COVERING AND ACCESSORIES SHALL BE NON-COMBUSTIBLE.
- THE ROOF/WALL JUNCTION SHALL BE SEALED TO PREVENT OPENINGS GREATER THAN 3mm.

SECTION 5.6.2: SHEET ROOFS

- BE FULLY SAVED AND ACCEPTED FOR POLY BACKED INSULATION BLANKETS BE INSTALLED OVER BATTENS.
- HAVE ANY GAPS GREATER THAN 3mm AT RASOIA, VALLEYS, HIPS, AND RIDGES SEALED WITH NON-COMBUSTIBLE MATERIAL.

SECTION 5.6.3: ROOF PENETRATIONS

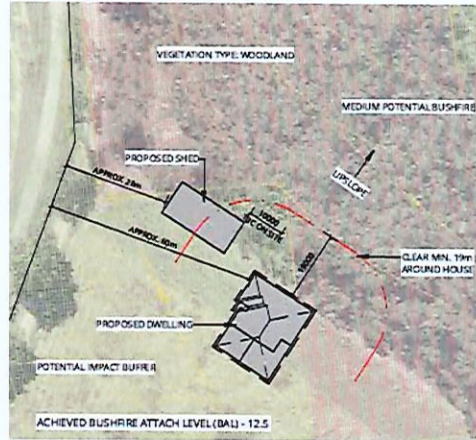
- REFER TO AS/NZS STANDARD AS3958-2009 FOR PARTICULAR TRADES AND SKYLIGHTS.

SECTION 5.6.4: ROOF GABLES

- COMPLY WITH SECTION 5.4.1 & 5.4.2

SECTION 5.6.5: EAVES LINING

- EAVES PENETRATIONS SHALL BE PROTECTED SAME AS ROOF PENETRATIONS



2
04 **BUSHFIRE PLAN**
SCALE: 1:1000

5	10/10/25	CLIENT CHANGES
4	3/10/25	CLIENT CHANGES
3	15/05/25	CLIENT CHANGES
1	02/05/25	PRELIMINARY ISSUE

REVISIONS

DESIGN NO.	02	SCALE:	1:200 AT A3
DRAWN BY:	WB	JOB NUMBER:	28016
WIND CAT:	CE	SOIL CLASS:	M
PRINT TIME:	25/10/2025 9:58:01 AM		

CLIENT
BIRC & YOUNG/CDME

PROJECT
PROPOSED RESIDENCE
Lot 208 on SPURWAY
4077 KENNEDY HIGHWAY
MAREEBA

SITE PLAN

PRELIMINARY

STRATUS
BUILDING DESIGN

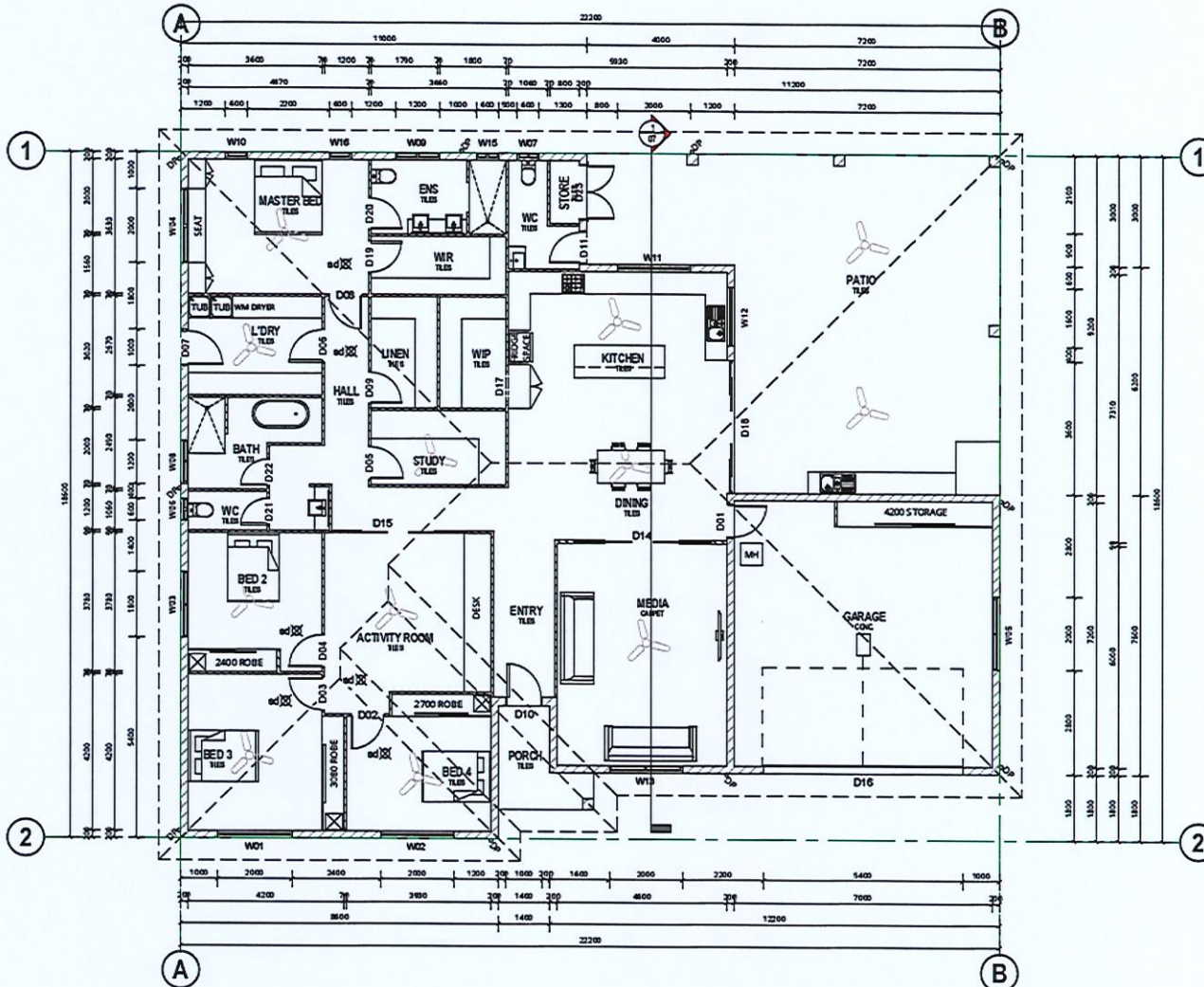
QBCC: 15214353

PH: 0400 296 195
EMAIL: w@stratusbd.au

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Version: 1, Version Date: 05/11/2025

14/11/2025
28.11.2025



FLOOR AREAS LEGEND

LIVING	252.96 m ²
PATIO	78.24 m ²
GARAGE	54.72 m ²
PORCH	5.12 m ²
TOTAL	391.04 m²

ELEVATION KEY

REVISIONS

NO.	DATE	DESCRIPTION
5	10/10/25	CLIENT CHANGES
4	3/10/25	CLIENT CHANGES
3	15/05/25	CLIENT CHANGES
2	10/05/25	NEW LAYOUT
1	02/05/25	PRELIMINARY ISSUE

SHEET NO. 03 SCALE: 1/100 AT A3
 DRAWN BY: WE JOB NUMBER: 23915
 WIND CAT: C2 SOIL CLASS: M
 PRINT TIME: 25/10/2025 9:55:33 AM

CLIENT
 SMC & TOM MAGUIRE

PROJECT
 PROPOSED RESIDENCE
 148 25th Ave RPO00022
 4879 KENNEDY HIGHWAY
 MAREEBA

FLOOR PLAN
PRELIMINARY

STRATUS
 BUILDING DESIGN

QBCC: 15214353

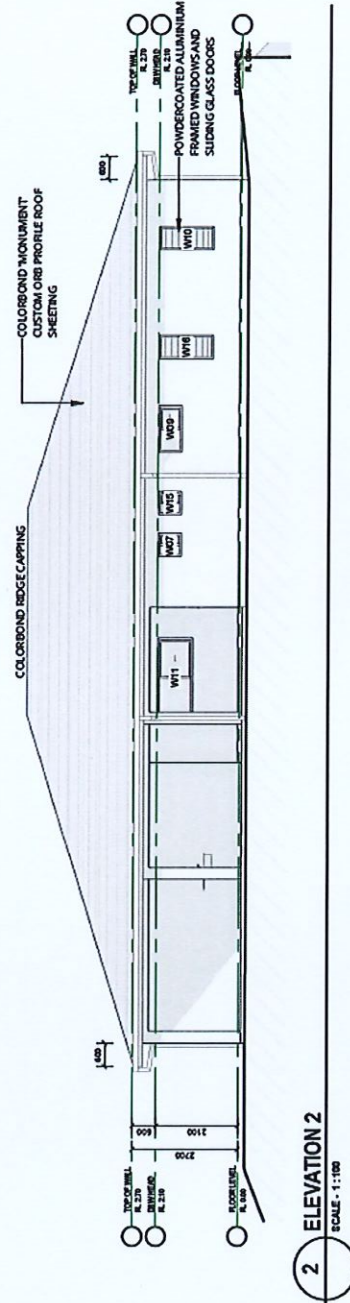
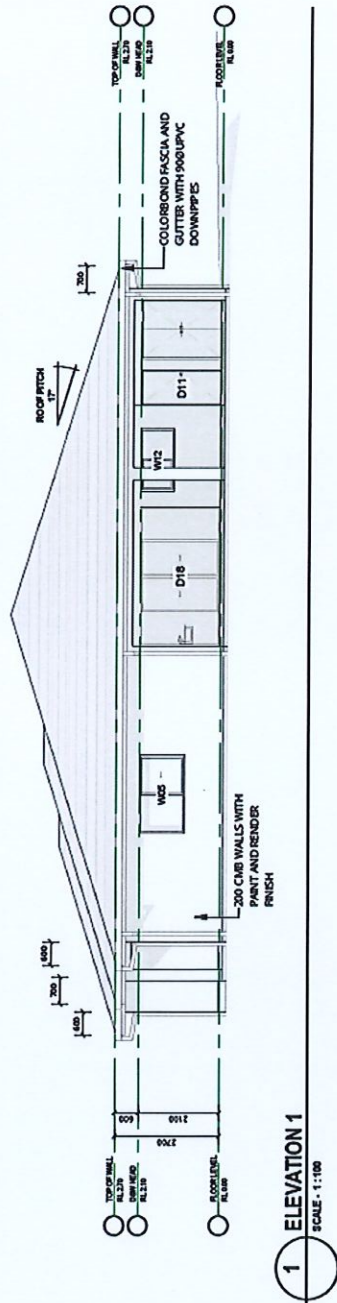
PH: 0400 296 195
 EMAIL: will@stratusbd.au

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Version: 1, Version Date: 05/11/2025

14/11/2025
 28.11.2025



5	10/10/23	CLIENT CHANGES
4	3/10/23	CLIENT CHANGES
3	15/05/23	CLIENT CHANGES
1	03/05/23	PRELIMINARY ISSUE

REVISIONS	04	11/08/23
DATE	04	11/08/23
BY	WE	03/08/23
CHKD	CZ	03/08/23
DATE	03	03/08/23
BY	WE	03/08/23
CHKD	CZ	03/08/23
DATE	03	03/08/23

CLIENT	MR & MRS MAGNOLIE
PROJECT	PROPOSED RESIDENCE
ADDRESS	1000 MAREEBA RD
LOCALITY	MAREEBA
STATE	QLD
POSTAL CODE	4870
DATE	03/08/23
BY	WE
CHKD	CZ
DATE	03/08/23

ELEVATIONS
PRELIMINARY

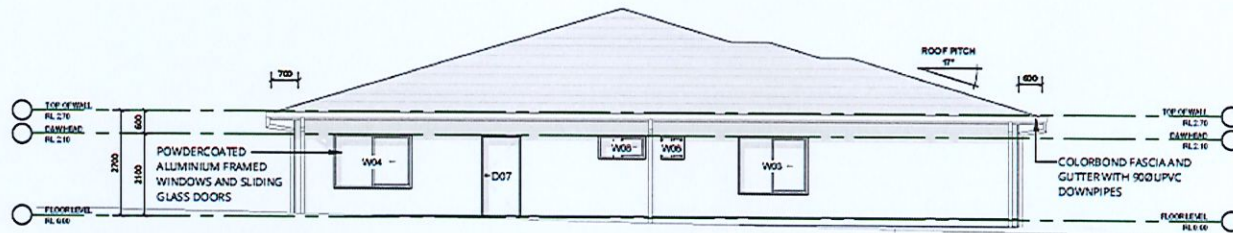
STRATUS
BUILDING DESIGN

QBCC: 15214353
PH: 0400 296 193
EMAIL: will@stratusbd.com

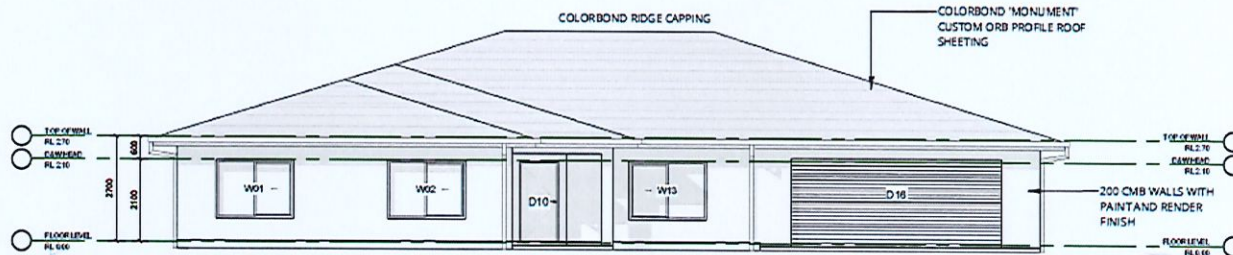
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14/11/2025
8.2.2



1 ELEVATION 3
SCALE - 1:100



2 ELEVATION 4
SCALE - 1:100

REVISIONS		
5	10/10/25	CLIENT CHANGES
4	3/10/25	CLIENT CHANGES
3	15/05/25	CLIENT CHANGES
1	02/05/25	PRELIMINARY ISSUE

SHEET NO.	06	SCALE:	1/100 AT A3
DRAWN BY:	WB	JOB NUMBER:	20016
WIND CAT.	C2	SOIL CLASS:	M
PRINT TIME:	25/10/2025 6:55:37 AM		

CLIENT
ERIC & TONI MACQUE

PROJECT
PROPOSED RESIDENCE
Lot 200 and 201/00000000
4079 KENNEDY HIGHWAY
MAREEBA

ELEVATIONS

PRELIMINARY

STRATUS
BUILDING DESIGN

QBCC: 15214353

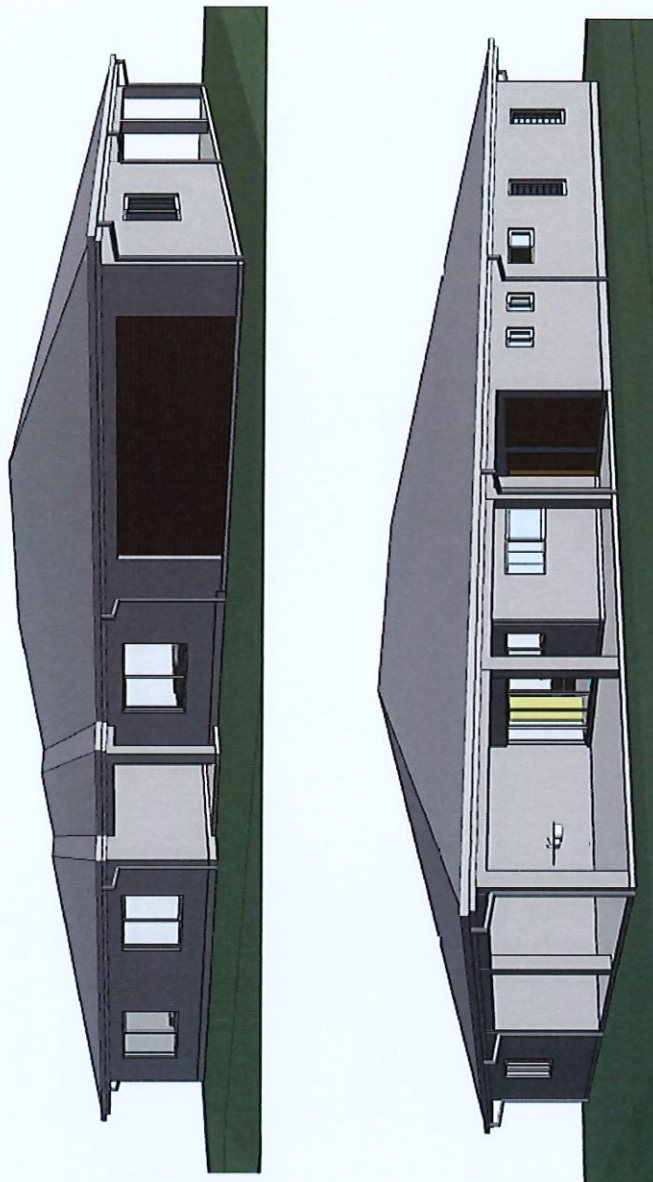
PH: 0400 296 195
EMAIL: wili@stratusbd.au

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Version: 1, Version Date: 05/11/2025

14/11/2025
B. N. O.



5	10/10/25	CLIENT CHANGES
4	3/10/25	CLIENT CHANGES
3	15/06/25	CLIENT CHANGES
1	02/06/25	PRELIMINARY ISSUE

SHEET NO.	DATE	SCALE	INT AT A3
DRAWING BY:	WBE	AS PER PLAN	20016
WEEK-CAP:	CE	30% CLASH	M
PRINT TIME:	26/10/2025 08:49 AM		

CLIENT
ERIC & TOM MACDONALD

PROJECT
PROPOSED RESIDENCE
1079 ELMORE RD
MAREEBA

PERSPECTIVE VIEWS PRELIMINARY

STRATUS BUILDING DESIGN

QBCC: 15214323

PH: 0400 296 195
EMAIL: wll@stratusbd.au

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Window Schedule				Door Schedule				Door Schedule					
Mark	Room	Height	Head Height	Mark	Description	Height	Width	Mark	Description	Room	Height	Width	Comments
W1	W1	1500 mm	2050 mm	D1	JO SLING GLASS WINDOW	2066 mm	80 mm	D15	875 INGLE SWING DOOR	ACTIVITY ROOM	2066 mm	773 mm	OPENING SIZE
W2	W2	1500 mm	2050 mm	D2	JO SLING GLASS WINDOW	2066 mm	80 mm	D16	875 INGLE SWING DOOR	GARAGE	2066 mm	1492 mm	OPENING SIZE
W3	W3	1500 mm	2050 mm	D3	JO SLING GLASS WINDOW	2066 mm	80 mm	D17	875 INGLE SWING DOOR	WIP	2102 mm	860 mm	OPENING SIZE
W4	W4	1500 mm	2050 mm	D4	JO SLING GLASS WINDOW	2066 mm	80 mm	D18	875 INGLE SWING DOOR	DINING	2102 mm	1460 mm	OPENING SIZE
W5	W5	1500 mm	2050 mm	D5	JO SLING GLASS WINDOW	2066 mm	80 mm	D19	875 INGLE SWING DOOR	WC	2066 mm	82 mm	OPENING SIZE
W6	W6	1500 mm	2050 mm	D6	JO SLING GLASS WINDOW	2066 mm	80 mm	D20	875 INGLE SWING DOOR	WC	2066 mm	773 mm	DOOR LAM SIZE
W7	W7	650 mm	650 mm	D7	JO SLING GLASS WINDOW	2066 mm	80 mm	D21	875 INGLE SWING DOOR	WC	2066 mm	773 mm	DOOR LAM SIZE
W8	W8	650 mm	650 mm	D8	JO SLING GLASS WINDOW	2066 mm	80 mm	D22	875 INGLE SWING DOOR	WC	2066 mm	773 mm	DOOR LAM SIZE
W9	W9	650 mm	650 mm	D9	JO SLING GLASS WINDOW	2066 mm	80 mm	D23	875 INGLE SWING DOOR	WC	2066 mm	773 mm	DOOR LAM SIZE
W10	W10	1500 mm	2050 mm	D10	1 PANE GLASS LOUVER	2100 mm	100 mm	D24	875 INGLE SWING DOOR	STORE	2066 mm	773 mm	DOOR LAM SIZE
W11	W11	1500 mm	2050 mm	D11	JO SLING GLASS WINDOW	2066 mm	80 mm	D25	875 INGLE SWING DOOR				
W12	W12	1500 mm	2050 mm	D12	JO SLING GLASS WINDOW	2066 mm	80 mm	D26	875 INGLE SWING DOOR				
W13	W13	1500 mm	2050 mm	D13	JO SLING GLASS WINDOW	2066 mm	80 mm	D27	875 INGLE SWING DOOR				
W14	W14	1500 mm	2050 mm	D14	JO SLING GLASS WINDOW	2066 mm	80 mm	D28	875 INGLE SWING DOOR				
W15	W15	1500 mm	2050 mm	D15	1 PANE GLASS LOUVER	2100 mm	100 mm	D29	875 INGLE SWING DOOR				
W16	W16	1500 mm	2050 mm	D16	JO SLING GLASS WINDOW	2066 mm	80 mm	D30	875 INGLE SWING DOOR				
W17	W17	1500 mm	2050 mm	D17	JO SLING GLASS WINDOW	2066 mm	80 mm	D31	875 INGLE SWING DOOR				
W18	W18	1500 mm	2050 mm	D18	JO SLING GLASS WINDOW	2066 mm	80 mm	D32	875 INGLE SWING DOOR				
W19	W19	1500 mm	2050 mm	D19	JO SLING GLASS WINDOW	2066 mm	80 mm	D33	875 INGLE SWING DOOR				
W20	W20	1500 mm	2050 mm	D20	JO SLING GLASS WINDOW	2066 mm	80 mm	D34	875 INGLE SWING DOOR				
W21	W21	1500 mm	2050 mm	D21	JO SLING GLASS WINDOW	2066 mm	80 mm	D35	875 INGLE SWING DOOR				
W22	W22	1500 mm	2050 mm	D22	JO SLING GLASS WINDOW	2066 mm	80 mm	D36	875 INGLE SWING DOOR				
W23	W23	1500 mm	2050 mm	D23	JO SLING GLASS WINDOW	2066 mm	80 mm	D37	875 INGLE SWING DOOR				
W24	W24	1500 mm	2050 mm	D24	JO SLING GLASS WINDOW	2066 mm	80 mm	D38	875 INGLE SWING DOOR				
W25	W25	1500 mm	2050 mm	D25	JO SLING GLASS WINDOW	2066 mm	80 mm	D39	875 INGLE SWING DOOR				
W26	W26	1500 mm	2050 mm	D26	JO SLING GLASS WINDOW	2066 mm	80 mm	D40	875 INGLE SWING DOOR				
W27	W27	1500 mm	2050 mm	D27	JO SLING GLASS WINDOW	2066 mm	80 mm	D41	875 INGLE SWING DOOR				
W28	W28	1500 mm	2050 mm	D28	JO SLING GLASS WINDOW	2066 mm	80 mm	D42	875 INGLE SWING DOOR				
W29	W29	1500 mm	2050 mm	D29	JO SLING GLASS WINDOW	2066 mm	80 mm	D43	875 INGLE SWING DOOR				
W30	W30	1500 mm	2050 mm	D30	JO SLING GLASS WINDOW	2066 mm	80 mm	D44	875 INGLE SWING DOOR				
W31	W31	1500 mm	2050 mm	D31	JO SLING GLASS WINDOW	2066 mm	80 mm	D45	875 INGLE SWING DOOR				
W32	W32	1500 mm	2050 mm	D32	JO SLING GLASS WINDOW	2066 mm	80 mm	D46	875 INGLE SWING DOOR				
W33	W33	1500 mm	2050 mm	D33	JO SLING GLASS WINDOW	2066 mm	80 mm	D47	875 INGLE SWING DOOR				
W34	W34	1500 mm	2050 mm	D34	JO SLING GLASS WINDOW	2066 mm	80 mm	D48	875 INGLE SWING DOOR				
W35	W35	1500 mm	2050 mm	D35	JO SLING GLASS WINDOW	2066 mm	80 mm	D49	875 INGLE SWING DOOR				
W36	W36	1500 mm	2050 mm	D36	JO SLING GLASS WINDOW	2066 mm	80 mm	D50	875 INGLE SWING DOOR				
W37	W37	1500 mm	2050 mm	D37	JO SLING GLASS WINDOW	2066 mm	80 mm	D51	875 INGLE SWING DOOR				
W38	W38	1500 mm	2050 mm	D38	JO SLING GLASS WINDOW	2066 mm	80 mm	D52	875 INGLE SWING DOOR				
W39	W39	1500 mm	2050 mm	D39	JO SLING GLASS WINDOW	2066 mm	80 mm	D53	875 INGLE SWING DOOR				
W40	W40	1500 mm	2050 mm	D40	JO SLING GLASS WINDOW	2066 mm	80 mm	D54	875 INGLE SWING DOOR				
W41	W41	1500 mm	2050 mm	D41	JO SLING GLASS WINDOW	2066 mm	80 mm	D55	875 INGLE SWING DOOR				
W42	W42	1500 mm	2050 mm	D42	JO SLING GLASS WINDOW	2066 mm	80 mm	D56	875 INGLE SWING DOOR				
W43	W43	1500 mm	2050 mm	D43	JO SLING GLASS WINDOW	2066 mm	80 mm	D57	875 INGLE SWING DOOR				
W44	W44	1500 mm	2050 mm	D44	JO SLING GLASS WINDOW	2066 mm	80 mm	D58	875 INGLE SWING DOOR				
W45	W45	1500 mm	2050 mm	D45	JO SLING GLASS WINDOW	2066 mm	80 mm	D59	875 INGLE SWING DOOR				
W46	W46	1500 mm	2050 mm	D46	JO SLING GLASS WINDOW	2066 mm	80 mm	D60	875 INGLE SWING DOOR				
W47	W47	1500 mm	2050 mm	D47	JO SLING GLASS WINDOW	2066 mm	80 mm	D61	875 INGLE SWING DOOR				
W48	W48	1500 mm	2050 mm	D48	JO SLING GLASS WINDOW	2066 mm	80 mm	D62	875 INGLE SWING DOOR				
W49	W49	1500 mm	2050 mm	D49	JO SLING GLASS WINDOW	2066 mm	80 mm	D63	875 INGLE SWING DOOR				
W50	W50	1500 mm	2050 mm	D50	JO SLING GLASS WINDOW	2066 mm	80 mm	D64	875 INGLE SWING DOOR				
W51	W51	1500 mm	2050 mm	D51	JO SLING GLASS WINDOW	2066 mm	80 mm	D65	875 INGLE SWING DOOR				
W52	W52	1500 mm	2050 mm	D52	JO SLING GLASS WINDOW	2066 mm	80 mm	D66	875 INGLE SWING DOOR				
W53	W53	1500 mm	2050 mm	D53	JO SLING GLASS WINDOW	2066 mm	80 mm	D67	875 INGLE SWING DOOR				
W54	W54	1500 mm	2050 mm	D54	JO SLING GLASS WINDOW	2066 mm	80 mm	D68	875 INGLE SWING DOOR				
W55	W55	1500 mm	2050 mm	D55	JO SLING GLASS WINDOW	2066 mm	80 mm	D69	875 INGLE SWING DOOR				
W56	W56	1500 mm	2050 mm	D56	JO SLING GLASS WINDOW	2066 mm	80 mm	D70	875 INGLE SWING DOOR				
W57	W57	1500 mm	2050 mm	D57	JO SLING GLASS WINDOW	2066 mm	80 mm	D71	875 INGLE SWING DOOR				
W58	W58	1500 mm	2050 mm	D58	JO SLING GLASS WINDOW	2066 mm	80 mm	D72	875 INGLE SWING DOOR				
W59	W59	1500 mm	2050 mm	D59	JO SLING GLASS WINDOW	2066 mm	80 mm	D73	875 INGLE SWING DOOR				
W60	W60	1500 mm	2050 mm	D60	JO SLING GLASS WINDOW	2066 mm	80 mm	D74	875 INGLE SWING DOOR				
W61	W61	1500 mm	2050 mm	D61	JO SLING GLASS WINDOW	2066 mm	80 mm	D75	875 INGLE SWING DOOR				
W62	W62	1500 mm	2050 mm	D62	JO SLING GLASS WINDOW	2066 mm	80 mm	D76	875 INGLE SWING DOOR				
W63	W63	1500 mm	2050 mm	D63	JO SLING GLASS WINDOW	2066 mm	80 mm	D77	875 INGLE SWING DOOR				
W64	W64	1500 mm	2050 mm	D64	JO SLING GLASS WINDOW	2066 mm	80 mm	D78	875 INGLE SWING DOOR				
W65	W65	1500 mm	2050 mm	D65	JO SLING GLASS WINDOW	2066 mm	80 mm	D79	875 INGLE SWING DOOR				
W66	W66	1500 mm	2050 mm	D66	JO SLING GLASS WINDOW	2066 mm	80 mm	D80	875 INGLE SWING DOOR				
W67	W67	1500 mm	2050 mm	D67	JO SLING GLASS WINDOW	2066 mm	80 mm	D81	875 INGLE SWING DOOR				
W68	W68	1500 mm	2050 mm	D68	JO SLING GLASS WINDOW	2066 mm	80 mm	D82	875 INGLE SWING DOOR				
W69	W69	1500 mm	2050 mm	D69	JO SLING GLASS WINDOW	2066 mm	80 mm	D83	875 INGLE SWING DOOR				
W70	W70	1500 mm	2050 mm	D70	JO SLING GLASS WINDOW	2066 mm	80 mm	D84	875 INGLE SWING DOOR				
W71	W71	1500 mm	2050 mm	D71	JO SLING GLASS WINDOW	2066 mm	80 mm	D85	875 INGLE SWING DOOR				
W72	W72	1500 mm	2050 mm	D72	JO SLING GLASS WINDOW	2066 mm	80 mm	D86	875 INGLE SWING DOOR				
W73	W73	1500 mm	2050 mm	D73	JO SLING GLASS WINDOW	2066 mm	80 mm	D87	875 INGLE SWING DOOR				
W74	W74	1500 mm	2050 mm	D74	JO SLING GLASS WINDOW	2066 mm	80 mm	D88	875 INGLE SWING DOOR				
W75	W75	1500 mm	2050 mm	D75	JO SLING GLASS WINDOW	2066 mm	80 mm	D89	875 INGLE SWING DOOR				
W76	W76	1500 mm	2050 mm	D76	JO SLING GLASS WINDOW	2066 mm	80 mm	D90	875 INGLE SWING DOOR				
W77	W77	1500 mm	2050 mm	D77	JO SLING GLASS WINDOW	2066 mm	80 mm	D91	875 INGLE SWING DOOR				
W78	W78	1500 mm	2050 mm	D78	JO SLING GLASS WINDOW	2066 mm	80 mm	D92	875 INGLE SWING DOOR				
W79	W79	1500 mm	2050 mm	D79	JO SLING GLASS WINDOW	2066 mm	80 mm	D93	875 INGLE SWING DOOR				
W80	W80	1500 mm	2050 mm	D80	JO SLING GLASS WINDOW	2066 mm	80 mm	D94	875 INGLE SWING DOOR				
W81	W81	1500 mm	2050 mm	D81	JO SLING GLASS WINDOW	2066 mm	80 mm	D95	875 INGLE SWING DOOR				
W82	W82	1500 mm	2050 mm	D82	JO SLING GLASS WINDOW	2066 mm	80 mm	D96	875 INGLE SWING DOOR				
W83	W83	1500 mm	2050 mm	D83	JO SLING GLASS WINDOW	2066 mm	80 mm	D97	875 INGLE SWING DOOR				
W84	W84	1500 mm	2050 mm	D84	JO SLING GLASS WINDOW	2066 mm	80 mm	D98	875 INGLE SWING DOOR				
W85	W85	1500 mm	2050 mm	D85	JO SLING GLASS WINDOW	2066 mm	80 mm	D99	875 INGLE SWING DOOR				
W86	W86	1500 mm	2050 mm	D86	JO SLING GLASS WINDOW	2066 mm	80 mm	D100	875 INGLE SWING DOOR				
W87	W87	1500 mm	2050 mm	D87	JO SLING GLASS WINDOW	2066 mm	80 mm	D101	875 INGLE SWING DOOR				
W88	W88	1500 mm	2050 mm	D88	JO SLING GLASS WINDOW	2066 mm	80 mm	D102	875 INGLE SWING DOOR				
W89	W89	1500 mm	2050 mm	D89	JO SLING GLASS WINDOW	2066 mm	80 mm	D103	875 INGLE SWING DOOR				
W90	W90	1500 mm	2050 mm	D90	JO SLING GLASS WINDOW	2066 mm	80 mm	D104	875 INGLE SWING DOOR				
W91	W91	1500 mm	2050 mm	D91	JO SLING GLASS WINDOW	2066 mm	80 mm	D105	875 INGLE SWING DOOR				
W92	W92	1500 mm	2050 mm	D92	JO SLING GLASS WINDOW	2066 mm	80 mm	D106	875 INGLE SWING DOOR				
W93	W93	1500 mm	2050 mm	D93	JO SLING GLASS WINDOW	2066 mm	80 mm	D107	875 INGLE SWING DOOR				
W94	W94	1500 mm	2050 mm	D94	JO SLING GLASS WINDOW	2066 mm	80 mm	D108	875 INGLE SWING DOOR				
W95	W95	1500 mm	2050 mm	D95	JO SLING GLASS WINDOW	2066 mm	80 mm	D109	875 INGLE SWING DOOR				
W96	W96	1500 mm	2050 mm	D96	JO SLING GLASS WINDOW	2066 mm	80 mm	D110	875 INGLE SWING DOOR				
W97	W97	1500 mm	2050 mm	D97	JO SLING GLASS WINDOW	2066 mm	80 mm	D111	875 INGLE SWING DOOR				
W98	W98	1500 mm	2050 mm	D98	JO SLING GLASS WINDOW	2066 mm	80 mm	D112	875 INGLE SWING DOOR				
W99	W99	1500 mm	2050 mm	D99	JO SLING GLASS WINDOW	2066 mm	80 mm	D113	875 INGLE SWING DOOR				
W100	W100	1500 mm	2050 mm	D100	JO SLING GLASS WINDOW	2066 mm	80 mm	D114	875 INGLE SWING DOOR				
W101	W101	1500 mm	2050 mm	D101	JO SLING GLASS WINDOW	2066 mm	80 mm	D115	875 INGLE SWING DOOR				
W102	W102	1500 mm	2050 mm	D102	JO SLING GLASS WINDOW	2066 mm	80 mm	D116	875 INGLE SWING DOOR				
W103	W103	1500 mm	2050 mm	D103	JO SLING GLASS WINDOW	2066 mm	80 mm	D117	875 INGLE SWING DOOR				
W104	W104	1500 mm	2050 mm	D104	JO SLING GLASS WINDOW	2066 mm	80 mm	D118	875 INGLE SWING DOOR				
W105	W105	1500 mm	2050 mm	D105	JO SLING GLASS WINDOW	2066 mm	80 mm	D119	875 INGLE SWING DOOR				
W106	W106	1500 mm	2050 mm	D106	JO SLING GLASS WINDOW	2066 mm	80 mm	D120	875 INGLE SWING DOOR				
W107	W107	1500 mm	2050 mm	D107	JO SLING GLASS WINDOW	2066 mm	80 mm	D121					

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the Planning Act 2016 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.

(Refer to Schedule 1 of the Planning Act 2016)

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

(3) The **appeal period** is –

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

Note –

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

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

decision includes-

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

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

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.