

File: 21/07
Date: 16 December 2025

SMK QLD Pty Ltd for Robbie Hanna
PO Box 422
GOONDIWINDI QLD 4390

Attention: Tom Jobling

Dear Tom

**Decision Notice – change application – minor change
(Given under section 83 of the *Planning Act 2016*)
Reconfiguring a Lot
Lots 60 & 61 on RP844302, 63 & 69 Ulawanna Road, Goondiwindi**

Goondiwindi Regional Council received your change application made under section 78 of the *Planning Act 2016* on 26 September 2025 for the development approval dated 12 July 2021.

Decision for change application

Date of decision: 9 December 2025

Decision details: Make the changes and impose development conditions.

The changes agreed to are:

1. Condition 1 is amended;
2. Condition 2 is amended;
3. Condition 5 is amended;
4. Condition 6 is amended;
5. Condition 7 is amended;
6. Condition 10 is amended;
7. Condition 12 is amended;
8. Condition 14 is amended;
9. Condition 15 is amended;
10. Condition 16 is deleted;
11. Condition 17 is amended;
12. Condition 18 is amended;
13. Condition 20 is amended; and
14. Condition 39 is amended.

If you require any further information, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on (07) 4671 7400 or rmcmahon@grc.qld.gov.au, who will be pleased to assist.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'RM McMahon', followed by a long, horizontal, slightly wavy line that extends to the right.

Ronnie McMahon
Manager of Planning Services
Goondiwindi Regional Council

Decision Notice approval

Planning Act 2016 section 63

Council File Reference: 21/07
Council Contact: Mrs Ronnie McMahon
Council Contact Phone: (07) 4671 7400

15 December 2025

Applicant Details: SMK QLD Pty Ltd for Robbie Hanna
PO Box 422
GOONDIWINDI QLD 4390

Attention: Tom Jobling

The change application described below was properly made to Goondiwindi Regional Council on 26 September 2025.

Applicant details

Applicant name: SMK QLD Pty Ltd for Robbie Hanna
Applicant contact details: Attn: Mr Tom Jobling
PO Box 422, Goondiwindi, QLD 4390
tom@smkqld.com.au
(07) 4671 2445

Application details

Application number: 21/07
Approval sought: Minor Change to Existing Development Permit
Details of proposed development: Reconfiguring a Lot - "Two (2) into **ninety-two (92)** lot subdivision

Location details

Street address: 63 & 69 Ulawanna Road, Goondiwindi
Real property description: Lots 60 & 61 on RP844302

Decision

Date of decision: 9 December 2025
Decision details: Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Details of the approval

Development permit Reconfiguring a Lot

Description of changes**Existing Condition 1**

1. Approval is granted for the purpose of Reconfiguring a Lot – Two (2) into One-hundred and five (105) lot subdivision.

Recommendation: Make proposed change

Existing Condition 2

2. The development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:

Drawing Number	Title	Date
220008-1	Staging Plan to Accompany ROL Application on Lot 60 RP844302 & Lot 61 RP844302	10/02/21
220008-2	Staging Plan to Accompany ROL Application on Lot 60 & 61 RP844302	10/02/21
220008-3	Proposal Plan to Accompany ROL Application on Lots 60 & 61 on RP844302	25/02/21
220008-4	Proposal Plan to Accompany ROL Application on Lots 60 & 61 RP844302	25/02/21
220008-5	Proposal Plan to Accompany ROL Application on Lots 60 & 61 RP844302	25/02/21
220008-6	Proposal Plan to Accompany ROL Application on Lots 60 & 61 RP844302	25/02/21
Rev 1	Schedule of Designs and Documents	08/07/2021

Please note this is not an approved Plan of Survey. The approved plans are included in Attachment 2.

Proposed Changes – Condition 1

1. Approval is granted for the purpose of Reconfiguring a Lot – Two (2) into Ninety-two (92) lot subdivision.

Proposed Changes – Condition 2

2. The development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans

Drawing Number	Title	Date
25132-1	Proposed Plan for ROL Application – 2 lots into 3 lots on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025
25132-2	Staging Plan for ROL Application – 2 lots into 3 lots on Lot on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025
25132-3	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
25132-4	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
25132-5	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
Rev 1	Schedule of Designs and Documents	08/07/2021

Please note this is not an approved Plan of Survey. The approved plans are included in Attachment 2.

Recommendation: Make proposed change to Condition 2

Existing Condition 5

Proposed Changes – Condition 5

5. Easement B on RP844302 and Easement C on RP844302 shall remain unchanged.

5. Easement B on RP844302, **and** Easement C on RP844302 **and** **Easement A on RP171174** shall remain unchanged.

Easement A on RP171174 shall be replaced with an easement for access purposes from the extension of Sandalwood Drive within the development to the levee bank.

Easement A on RP171174 shall be replaced with an easement for access purposes from the extension of Sandalwood Drive within the development to the levee bank.

Recommendation: Make proposed change

Existing Condition 6

Proposed Changes – Condition 6

6. Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated water supply system, in accordance with the Water Conceptual Layout Plans DA-401 (Rev A), DA-402 (Rev A), DA-403 (Rev B) and DA-404 (Rev A), prepared by Baker Rossow, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards in the *Goondiwindi Region Planning Scheme 2018 (Version 2)*, to the satisfaction of and at no cost to Council.

6. Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated water supply system, **generally** in accordance with the Water Conceptual Layout Plans DA-401 (Rev A), DA-402 (Rev A), DA-403 (Rev B) and DA-404 (Rev A), prepared by Baker Rossow, **as amended to reflect the approved lot layout**, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards in the *Goondiwindi Region Planning Scheme 2018 (Version 2)*, to the satisfaction of and at no cost to Council.

The developer shall provide all necessary water infrastructure to enable all parcels to be serviced by a standard water connection to the satisfaction of Council and to relevant engineering standards.

The developer shall provide all necessary water infrastructure to enable all parcels to be serviced by a standard water connection to the satisfaction of Council and to relevant engineering standards.

Recommendation:

Make change as identified by Council during assessment of the change.

Existing Condition 7	Proposed Changes – Condition 7
<p>7. Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated sewerage system, in accordance with the Sewer Conceptual Layout Plans DA-201 – DA204 Revision B, prepared by Baker Rossow, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>The developer shall provide all sewerage infrastructure to enable every parcel within the development to be serviced by Council's sewerage reticulation system.</p>	<p>7. Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated sewerage system, generally in accordance with the Sewer Conceptual Layout Plans DA-201 – DA204 Revision B, prepared by Baker Rossow, as amended to reflect the approved lot layout, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>The developer shall provide all sewerage infrastructure to enable every parcel within the development to be serviced by Council's sewerage reticulation system.</p>
Recommendation:	Make change as identified by Council during assessment of the change.
Existing Condition 10	Proposed Changes – Condition 10
<p>10. Fencing, to prevent vehicular access to Brennans Road, shall be constructed along the northern boundary of the development adjacent to Brennans Road. It is a condition of this development that there is to be no vehicular access from the new lots to Brennans Road and Ulawanna Road.</p>	<p>10. Prior to the submission to Council of the Plan of Survey for Stage 2, fencing, to prevent vehicular access to Brennans Road, shall be constructed along the northern boundary of the development adjacent to Brennans Road. It is a condition of this development that there is to be no vehicular access from the new lots to Brennans Road and Ulawanna Road.</p>
Recommendation:	Make change as identified by Council during assessment of the change.
Existing Condition 12	Proposed Changes – Condition 12
<p>12. All new roads shall have a minimum reservation width of eighteen (18) metres, with the exception of the extension of Sandalwood Drive, which shall have a minimum reservation width of twenty (20) metres in line with the current road reservation and shall be dedicated as public road at no cost to Council.</p>	<p>12. All new roads shall have a minimum reservation width of eighteen (18) metres, with the exception of the extension of Sandalwood Drive, which shall have a minimum reservation width of twenty (20) metres in line with the current road reservation and shall be dedicated as public road at no cost to Council.</p>
Recommendation:	Make proposed change

Existing Condition 14

14. Prior to the endorsement of plans for stage one (1), BAR and BAL turn treatments shall be constructed at the intersection of Ulawanna Drive and Brennans Road. These turn treatments shall be constructed to a sealed standard and designed in accordance with the Austroads guide to road design.

Recommendation:

Make change as identified by Council during assessment of the change.

Proposed Changes – Condition 14

14. Prior to the endorsement of plans for stage **two (2)**, BAR and BAL turn treatments shall be constructed at the intersection of Ulawanna Drive and Brennans Road. These turn treatments shall be constructed to a sealed standard and designed in accordance with the Austroads guide to road design.

Existing Condition 15

15. Concrete kerb and channelling shall be provided on both sides of each of the proposed six (6) new roads and to the extension of Sandalwood Drive (8 metres invert to invert).

Recommendation:

Make proposed change

Proposed Changes – Condition 15

15. Concrete kerb and channelling shall be provided on both sides of each of the proposed six (6) new roads **and to the extension of Sandalwood Drive** (8 metres invert to invert).

Existing Condition 16

16. The extension of Sandalwood Drive shall be joined neatly into the existing end of Sandalwood Drive and must take into account local storm water drainage and the connection of existing driveways to Lots 143 & 144 on SP101417.

Proposed Changes – Condition 16

- 16. DELETED**

Recommendation:

Make proposed change

Existing Condition 17

17. Prior to the endorsement of plans for each relevant stage, Ulawanna Drive shall be widened generally in accordance with the approved plans including the construction of concrete kerb and channel on the widened eastern side of the road. Allowance must be made for the connection of existing accesses to Ulawanna Drive.

Proposed Changes – Condition 17

17. Prior to the endorsement of plans **for Stage 2 to Stage 7 each relevant stage**, Ulawanna Drive shall be widened generally in accordance with the approved plans including the construction of concrete kerb and channel on the widened eastern side of the road. Allowance must be made for the connection of existing accesses to Ulawanna Drive.

Recommendation:

Make change as identified by Council during assessment of the change.

Existing Condition 18

18. A 2.0m wide concrete footpath shall be constructed on the southern side of Brennans Road, connecting Ulawanna Drive with the existing concrete path at the termination of Wilga Place. A 2.0m wide concrete footpath shall be constructed on the eastern side of Ulawanna Drive from the Brennans Road path, to be extended with each stage of construction as far as the northern side of proposed new road at stage six (6).

Proposed Changes – Condition 18

18. **Prior to the endorsement of plans for Stage 2, a 2.0m wide concrete footpath shall be constructed on the southern side of Brennans Road, connecting Ulawanna Drive with the existing concrete path at the termination of Wilga Place.**

Prior to the endorsement of plans for Stage 2 to Stage 7 a 2.0m wide concrete footpath shall be constructed on the eastern side of Ulawanna Drive from the Brennans Road path, to be extended with each stage of construction as far as the northern side of proposed new road at stage seven (7).

Recommendation:

Make change as identified by Council during assessment of the change.

Existing Condition 20

20. Street lighting shall be provided along the six (6) new roads, the extension of Sandalwood Drive and Ulawanna Drive including the intersection with Brennans Road, to the satisfaction of the Director Engineering Services and to relevant engineering standards as outlined in Schedule 6: Planning Scheme Policies, SC6.2.6 – Standards for Utilities of the Goondiwindi Region Planning Scheme 2018 (Version 2).

Proposed Changes – Condition 20

20. Street lighting shall be provided along the six (6) new roads, **the extension of Sandalwood Drive** and Ulawanna Drive including the intersection with Brennans Road, to the satisfaction of the Director Engineering Services and to relevant engineering standards as outlined in Schedule 6: Planning Scheme Policies, SC6.2.6 – Standards for Utilities of the Goondiwindi Region Planning Scheme 2018 (Version 2).

Recommendation:

Make change as identified by Council during assessment of the change.

Existing Condition 39

39. A letter outlining and demonstrating that each condition has been complied with or how they will be complied with shall be submitted to Council prior to the submission to Council of the Plan of Survey. Council officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.

When approval takes effect

This approval takes effect in accordance with section 85 of the Planning Act 2016.

When approval lapses

The approval will lapse if a plan for the reconfiguration is not given to the local government within the following periods, in accordance with the provisions contained in section 85(1)(b) of the Planning Act 2016:

(a) The period stated for that part of the approval.

Stage	Proposed Lots	Time Frame
1	1 to 15	Completed by mid-2022
2	16 to 30	Completed by 2024
3	31 to 45	Completed by mid-2025
4	46 to 60	Completed by 2026
5	61 to 75	Completed by mid-2027
6	76 to 90	Completed by 2029
7	91 to 105	Completed by mid-2031

Section 86 of the Planning Act 2016 sets out how an extension to the period of approval can be requested.

Recommendation: Make change to timing.

Proposed Changes – Condition 39

39. A letter outlining and demonstrating that each condition has been complied with or how they will be complied with shall be submitted to Council prior to the submission to Council of the Plan of Survey. Council officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.

When approval takes effect

This approval takes effect in accordance with section 85 of the Planning Act 2016.

When approval lapses

The approval will lapse if a plan for the reconfiguration is not given to the local government within the following periods, in accordance with the provisions contained in section 85(1)(b) of the Planning Act 2016:

(a) The period stated for that part of the approval.

Stage	Proposed Lots	Time Frame
1	1 to 3	Completed by 30 June 2026
2	1 to 15	Completed by 30 June 2028
3	16 to 30	Completed by 30 June 2029
4	31 to 45	Completed by 30 June 2030
5	46 to 60	Completed by 30 June 2031
6	61 to 75	Completed by 30 June 2032
7	76 to 90	Completed by 30 June 2033

Section 86 of the Planning Act 2016 sets out how an extension to the period of approval can be requested.

All other conditions remain unchanged.

Conditions

This approval is subject to the conditions in Attachment 1. The changed conditions are highlighted for clarification in **Attachment 1**.

All conditions other than those approved to be changed from the original Decision Notice remain relevant and enforceable.

All other parts of the original Decision Notice not amended by this Notice remain relevant and enforceable.

Further development permits

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

1. Survey Plan Approval

Properly made submissions

Not applicable—No part of the application required public notification.

Rights of appeal

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

A copy of the relevant appeal provisions are attached.

Currency period for the approval

The approval will lapse if a plan for the reconfiguration is not given to the local government within the following periods, in accordance with the provisions contained in section 85(1)(b) of the *Planning Act 2016*:

- (a) The period stated for that part of the approval.

Stage	Proposed Lots	Time Frame
1	1 to 3	Completed by 30 June 2026
2	1 to 15	Completed by 30 June 2028
3	16 to 30	Completed by 30 June 2029
4	31 to 45	Completed by 30 June 2030
5	46 to 60	Completed by 30 June 2031
6	61 to 75	Completed by 30 June 2032
7	76 to 90	Completed by 30 June 2033

Approved plans and specifications

Copies of the following plans are enclosed.

Drawing Number	Title	Date
25132-1	Proposed Plan for ROL Application – 2 lots into 3 lots on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025
25132-2	Staging Plan for ROL Application – 2 lots into 3 lots on Lot on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025
25132-3	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
25132-4	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
25132-5	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025
Rev 1	Schedule of Designs and Documents	08/07/2021

Rights of appeal

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain 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*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 5 is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit: <https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

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

If you wish to discuss this matter further, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on 07 4671 7400.

Yours Sincerely

A handwritten signature in dark ink, appearing to read 'RM McMahon', followed by a long horizontal flourish.

Ronnie McMahon
Manager of Planning Services
Goondiwindi Regional Council

enc Attachment 1—Amended Assessment manager conditions
 Attachment 2—Approved plans
 Attachment 3—Infrastructure Charges Notice
 Attachment 4— Notice about decision – Statement of reasons
 Attachment 5—Planning Act extracts



ATTACHMENTS

Attachment 1 – Amended Assessment Manager’s Conditions

Attachment 2 – Approved Plans

Attachment 3– Infrastructure Charges Notice

Attachment 4 – Notice about decision - Statement of reasons

Attachment 5 – *Planning Act 2016* Extracts

Planning Act 2016 appeal provisions

Planning Act 2016 lapse dates



Attachment 1 – Amended Conditions Assessment Manager's



Assessment Manager's Conditions

Description:	Two (2) into ninety-two (92) lot subdivision
Development:	Minor Change to existing Development Permit for Reconfiguring a Lot
Applicant:	SMK QLD Pty Ltd for Robbie Hanna
Address:	63 & 69 Ulawanna Road, Goondiwindi
Real Property Description:	Lots 60 & 61 on RP844302
Council File Reference:	21/07

The amended conditions are highlighted in yellow below.

GENERAL CONDITIONS																							
1.	Approval is granted for the purpose of Reconfiguring a Lot – Two (2) into Ninety-two (92) lot subdivision.																						
2.	<p>Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans and reports:</p> <table border="1"> <thead> <tr> <th>Drawing Number</th><th>Title</th><th>Date</th></tr> </thead> <tbody> <tr> <td>25132-1</td><td>Proposed Plan for ROL Application – 2 lots into 3 lots on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390</td><td>4/9/2025</td></tr> <tr> <td>25132-2</td><td>Staging Plan for ROL Application – 2 lots into 3 lots on Lot on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390</td><td>4/9/2025</td></tr> <tr> <td>25132-3</td><td>Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302</td><td>4/09/2025</td></tr> <tr> <td>25132-4</td><td>Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302</td><td>4/09/2025</td></tr> <tr> <td>25132-5</td><td>Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302</td><td>4/09/2025</td></tr> <tr> <td>Rev 1</td><td>Schedule of Designs and Documents</td><td>08/07/2021</td></tr> </tbody> </table> <p>Please note this is not an approved Plan of Survey. The approved plans are included in Attachment 2.</p>		Drawing Number	Title	Date	25132-1	Proposed Plan for ROL Application – 2 lots into 3 lots on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025	25132-2	Staging Plan for ROL Application – 2 lots into 3 lots on Lot on Lot 60 and 61 RP844302, Ulawanna Rd Goondiwindi QLD 4390	4/9/2025	25132-3	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025	25132-4	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025	25132-5	Proposal Plan to Accompany ROL application on Lots 60 & 61 RP844302	4/09/2025	Rev 1	Schedule of Designs and Documents	08/07/2021
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Rev 1	Schedule of Designs and Documents	08/07/2021																					

3.	<p>Complete and maintain the approved development as follows:</p> <ul style="list-style-type: none"> (i) Generally in accordance with development approval documents; and (ii) Strictly in accordance with those parts of the approved development which have been specified in detail by Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications. <p>All development shall comply with any relevant provisions in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, Council's standard designs for applicable work and any relevant Australian Standard that applies to that type of work.</p> <p>The development approval documents are the material contained in the development application, approved plans and supporting documentation including any written and electronic correspondence between applicant, Council or any relevant Agencies during all stages of the development application assessment processes.</p>
4.	<p>All conditions must be complied with or bonded prior to the submission to Council of the Plan of Survey, unless specified in an individual condition.</p>
5.	<p>Easement B on RP844302, and Easement C on RP844302 and Easement A on RP171174 shall remain unchanged.</p> <p>Easement A on RP171174 shall be replaced with an easement for access purposes from the extension of Sandalwood Drive within the development to the levee bank.</p>
	<p>ESSENTIAL SERVICES</p>
6.	<p>Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated water supply system, generally in accordance with the Water Conceptual Layout Plans DA-401 (Rev A), DA-402 (Rev A), DA-403 (Rev B) and DA-404 (Rev A), prepared by Baker Rossow, as amended to reflect the approved lot layout, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>The developer shall provide all necessary water infrastructure to enable all parcels to be serviced by a standard water connection to the satisfaction of Council and to relevant engineering standards.</p>
7.	<p>Prior to the submission to Council of the Plan of Survey, each proposed lot shall be serviced by and connected to Council's reticulated sewerage system, generally in accordance with the Sewer Conceptual Layout Plans DA-201 – DA204 Revision B, prepared by Baker Rossow, as amended to reflect the approved lot layout, and in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land development Stands of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>The developer shall provide all sewerage infrastructure to enable every parcel within the development to be serviced by Council's sewerage reticulation system.</p>

	PUBLIC UTILITIES
8.	Each proposed lot shall be connected to an adequate electricity supply system, with services to be installed underground when required, at no cost to Council.
9.	Each proposed lot shall be connected to an adequate telecommunications supply system, with services to be installed underground when required, at no cost to Council.
	FENCING
10.	Prior to the submission to Council of the Plan of Survey for Stage 2, fencing, to prevent vehicular access to Brennans Road, shall be constructed along the northern boundary of the development adjacent to Brennans Road. It is a condition of this development that there is to be no vehicular access from the new lots to Brennans Road and Ulawanna Road.
	VEHICLE ACCESS
11.	<p>Each proposed lot shall be provided with a residential vehicle crossover in accordance with Schedule 6.2.1 – Standard Drawing in Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i> or to other relevant engineering standards to the satisfaction of and at no cost to Council.</p> <p>Vehicular access shall be designed to mitigate against bushfire hazards, and crossovers shall be either constructed or bonded prior to the submission of a Building Application.</p> <p>The applicant shall contact Council's Department of Engineering to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>
	ROADS
12.	All new roads shall have a minimum reservation width of eighteen (18) metres, with the exception of the extension of Sandalwood Drive, which shall have a minimum reservation width of twenty (20) metres in line with the current road reservation and shall be dedicated as public road at no cost to Council.

13.	<p>All new roads shall be constructed:</p> <p>(a) Generally in accordance with the approved plans, the Traffic Impact Assessment and the Infrastructure report.</p> <p>(b) With an eight (8) metre pavement width and a Cul-de-sac diameter of eighteen (18) metres, measured from invert of kerb to invert of kerb, to relevant engineering standards as outlined in Schedule 6: Planning Scheme Policies, SC6.2.1 – Standards for Roads, Footpaths and Access of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>.</p> <p>(c) To the satisfaction of the Director Engineering Services and shall be in accordance with the relevant engineering standards outlined in Schedule 6: Planning Scheme Policies, SC6.2.1 – Standards for Roads, Footpaths and Access of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>.</p>
14.	<p>Prior to the endorsement of plans for stage two (2), BAR and BAL turn treatments shall be constructed at the intersection of Ulawanna Drive and Brennans Road. These turn treatments shall be constructed to a sealed standard and designed in accordance with the Austroads guide to road design.</p>
15.	<p>Concrete kerb and channelling shall be provided on both sides of each of the proposed six (6) new roads and to the extension of Sandalwood Drive (8 metres invert to invert).</p>
16.	<p>DELETED</p>
17.	<p>Prior to the endorsement of plans for Stage 2 to Stage 7 each relevant stage, Ulawanna Drive shall be widened generally in accordance with the approved plans including the construction of concrete kerb and channel on the widened eastern side of the road. Allowance must be made for the connection of existing accesses to Ulawanna Drive.</p>
18.	<p>Prior to the endorsement of plans for Stage 2, a 2.0m wide concrete footpath shall be constructed on the southern side of Brennans Road, connecting Ulawanna Drive with the existing concrete path at the termination of Wilga Place.</p> <p>Prior to the endorsement of plans for Stage 2 to Stage 7, a 2.0m wide concrete footpath shall be constructed on the eastern side of Ulawanna Drive from the Brennans Road path, to be extended with each stage of construction as far as the northern side of proposed new road at stage seven (7).</p>
19.	<p>All new roads shall be appropriately named and all lots shall be given an appropriate street number. The developer shall submit to Council a prioritised list of proposed names for consideration.</p>
20.	<p>Street lighting shall be provided along the six (6) new roads, the extension of Sandalwood Drive and Ulawanna Drive including the intersection with Brennans Road, to the satisfaction of the Director Engineering Services and to relevant engineering standards as outlined in Schedule 6: Planning Scheme Policies, SC6.2.6 – Standards for Utilities of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>.</p>

	STORMWATER
21.	The subject site shall be adequately drained and all stormwater shall be disposed of to the satisfaction of the Director Engineering Services and to relevant engineering standards as outlined in Schedule 6: Planning Scheme Policies, SC6.2.4 – Standards for Stormwater Drainage of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i> . The stormwater disposal system shall be designed generally in accordance with the approved plans and infrastructure report.
22.	The stormwater drainage system shall be designed for the 1 in 5 year event. The design should be checked for the 1 in 100 year event to establish flow paths within the overall development.
23.	Any fill placed on the subject land in relation to the development shall not cause any ponding of water on any land.
	DEVELOPER'S RESPONSIBILITIES
24.	Prior to the commencement of construction, full detailed design engineering drawings and specifications certified by an RPEQ shall be provided for all roadworks, stormwater drainage, water supply, sewerage works and electricity supply and earthworks for the approval of the Director Engineering Services.
25.	Prior to the commencement of construction, a detailed project management plan addressing quality, safety and environmental management shall be provided for all roadworks, stormwater drainage, water supply, sewerage works and electricity supply and earthworks for the approval of the Director Engineering Services.
26.	Development is to be designed and constructed to avoid significant adverse impacts on areas of environmental significance.
27.	An adequate buffer to areas of environmental significance is to be provided and maintained.
28.	Any alteration or damage to roads and public infrastructure that is attributable to the progress of works or vehicles associated with the development must be repaired to Council's satisfaction or the cost of repairs paid to Council.
29.	The developer shall be responsible for meeting all costs reasonably associated with the approved development, unless there is specific agreement by other parties, including Council, to meeting those costs.
30.	It is the developer's responsibility to ensure that any contractors and subcontractors have current, relevant and appropriate qualifications and insurances in place to carry out the works.

31.	The developer shall be responsible for mitigating any complaints arising from on-site operations during construction.
32.	Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises. During construction the site must be kept in a clean and tidy state at all times.
33.	At all times all requirements of the conditions of the development approval must be maintained.
34.	Where appropriate, easements shall be provided in favour of Council to contain infrastructure elements, including water, sewerage and stormwater mains.
	BEFORE PLANS WILL BE ENDORSED
35.	All works necessitated by the conditions of approval for roadworks, stormwater drainage, water supply, sewerage, utilities and earthworks shall be completed prior to the submission to Council of the Plan of Survey required.
36.	Detailed "As Constructed" plans shall be provided for all roadworks, stormwater drainage, water supply, sewerage works and electricity supply and earthworks in an electronic format suitable for uploading to Council's GIS systems.
37.	<p>The developer shall submit a detailed Plan of Survey, prepared by a licensed surveyor, for the endorsement of Council. In accordance with Schedule 18 of the <i>Planning Regulations 2017</i>.</p> <p>The relevant Council Fee for endorsement of the Plan of Survey (currently \$190.00; subject to change).</p>
38.	<p>All outstanding rates and charges shall be paid to Council prior to the submission to Council of the Plan of Survey.</p> <p>At its discretion, Council may accept bonds or other securities by way of bank guarantee or cash, to ensure completion of specified development approval conditions to expedite the endorsement of the Plan of Survey.</p> <p>It may be necessary for Council to use such bonds for the completion of outstanding works without a specific timeframe agreed.</p>

- 39.** A letter outlining and demonstrating that each condition has been complied with or how they will be complied with shall be submitted to Council prior to the submission to Council of the Plan of Survey. Council officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.

When approval takes effect

This approval takes effect in accordance with section 85 of the Planning Act 2016.

When approval lapses

The approval will lapse if a plan for the reconfiguration is not given to the local government within the following periods, in accordance with the provisions contained in section 85(1)(b) of the Planning Act 2016:

- (a) The period stated for that part of the approval.

Stage	Proposed Lots	Time Frame
1	1 to 3	Completed by 30 June 2026
2	1 to 15	Completed by 30 June 2028
3	16 to 30	Completed by 30 June 2029
4	31 to 45	Completed by 30 June 2030
5	46 to 60	Completed by 30 June 2031
6	61 to 75	Completed by 30 June 2032
7	76 to 90	Completed by 30 June 2033

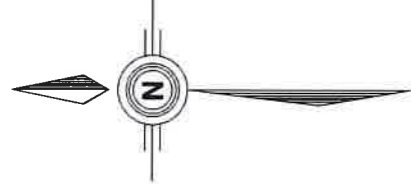
Section 86 of the Planning Act 2016 sets out how an extension to the period of approval can be requested.

	NOTES AND ADVICE
	Infrastructure charges as outlined in the attached Infrastructure Charges Notice shall be paid upon Council's approval of the Plan of Survey. The Infrastructure Charges Notice is included in Attachment 3 .
	All development shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards under that Act. All necessary licences under the Act shall be obtained and shall be maintained at all times.
	This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> . Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> , a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").
	This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i> .
	The approved development does not authorise any deviation from the applicable Australian Standards nor from the application of any laws, including laws covering work place health and safety.
	It is the applicant's responsibility to obtain all statutory approvals prior to commencement of any works onsite.



Attachment 2 – Approved Plans





BRENNANS ROAD

120
SP158280

121
SP158380

122
SP158280

124
SP101417

125
SP101417

126
SP101417

127
SP101417

128
SP101417

164
SP101417

129
SP101416

130
SP101416

131
SP101416

132
SP101416

133
SP101416

165
SP127674

143
SP101416

144
SP101417

ROAD

ULAWANNA

601.75

11.21ha

601.69

186.26

Emt G
RP204598

2
4.71ha

38.00

349.89

Emt F
RP204598

14.93

Emt A
RP844302

Emt A
RP171174

32

GTP102685

3
2.10ha

86.16

Emt B
RP844302

Emt A
SP127674

SANDALWOOD DRIVE

MACINTYRE RIVER

Note:
This plan was prepared for Robbie Hanna as a proposed subdivision to accompany a subdivision application to the Goondiwindi Regional Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 21/07G
Dated: 16/12/2025
Signed: R.M.M.
Print Name: Ronnie McMahon
(Under Delegation) ASSESSMENT MANAGER



SCALE 1: 4000

ROBBIE HANNA

SCALE Horiz 1:4000

SMK QLD

PROPOSAL PLAN FOR ROL APPLICATION - 2 LOTS INTO 3 LOTS ON LOT 60 AND 61 RP844302, ULAWANNA RD GOONDIWINDI QLD 4390

Goondiwindi · Brisbane · Gold Coast · Toowoomba · Gatton
Phone: (07) 4671 2445 Email: admin@smkqld.com.au

25132-I

Surveyor

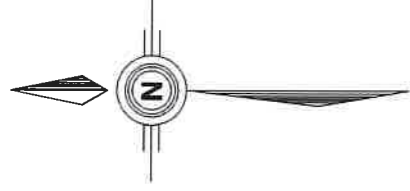
TJ

4/9/2025

10:58AM

25132

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BRENNANS ROAD

STAGE 2

120
SP158280

121
SP158280

122
SP158280

124
SP101417

125
SP101417

126
SP101417

127
SP101417

128
SP101417

164
SP101417

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SP101416

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SP101416

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SP101416

132
SP101416

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SP101416

165
SP127674

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SP101416

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SP101417

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SP101417

179
SP101417

180
SP101417

STAGE 3

STAGE 4

STAGE 5

STAGE 6

STAGE 7

ROAD

ULAWANNA

Emt F
RP204598

14.93

Emt A
RP844302

32

Emt A
RP71174

349.89

32

GTP102685

Emt B
RP844302

349.89

Emt C
RP844302

349.89

Emt D
RP844302

349.89

Emt E
RP844302

349.89

Emt F
RP844302

349.89

Emt G
RP204598

349.89

Emt H
RP844302

349.89

Emt I
RP844302

349.89

Emt J
RP844302

349.89

Emt K
RP844302

349.89

Emt L
RP844302

349.89

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 21/07G
Dated: 16/12/2025
Signed: R/M. McMahon
Print Name: Ronnie McMahon
(Under Delegation) ASSESSMENT MANAGER

0m 80m 160m 240m 320m 400m

SCALE 1: 4000

ROBBIE HANNA

SMK QLD

Goondiwindi · Brisbane · Gold Coast · Toowoomba · Gatton
Phone: (07) 4671 2445 Email: admin@smkqld.com.au

Surveyor TJ 4/9/2025 10:57AM

C:\Users\Tom\Dropbox\0851025\2532 ROBBIE HANNA ROL CHANGE Town Planning Working Documents\2532-1.jpg

25132

SCALE Horiz 1:4000

STAGING PLAN FOR ROL APPLICATION - 2 LOTS INTO 3 LOTS ON LOT 60 AND 61 RP844302, ULAWANNA RD GOONDIWINDI QLD 4390

25132-2

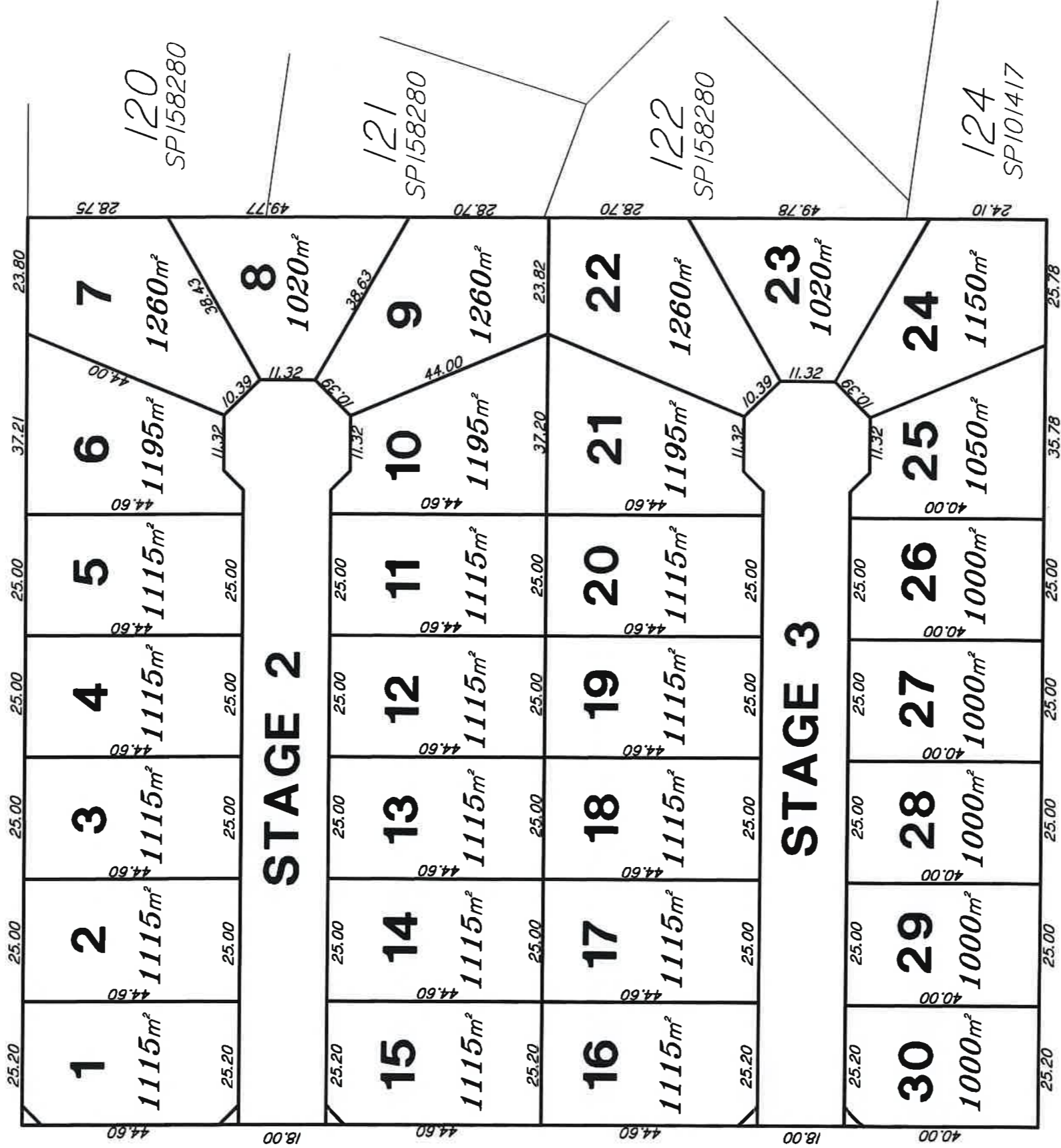
A3

Note:
This plan was prepared for Robbie Hanna as a proposed subdivision to accompany a subdivision application to the Goondiwindi Regional Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 21/074
Dated: 16/12/2025
Signed: RM M Mahon
Print Name: Ronnie Mahon
(Under Delegation, ASSESSMENT MANAGER)



BRENNANS ROAD



Note:
This plan was prepared for Robbie Hanna as a proposed subdivision to accompany a subdivision application to the GOONDIWINDI REGIONAL Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan.



ROBBIE HANNA

SMK OLD PTY. LTD.

Goondiwindi | Brisbane | Gold Coast | Toowoomba | Gatton
Ph (07)4671 2445 Email admin@smkold.com.au

PROPOSAL PLAN TO ACCOMPANY
ROL APPLICATION ON LOTS
60 & 61 RP844302

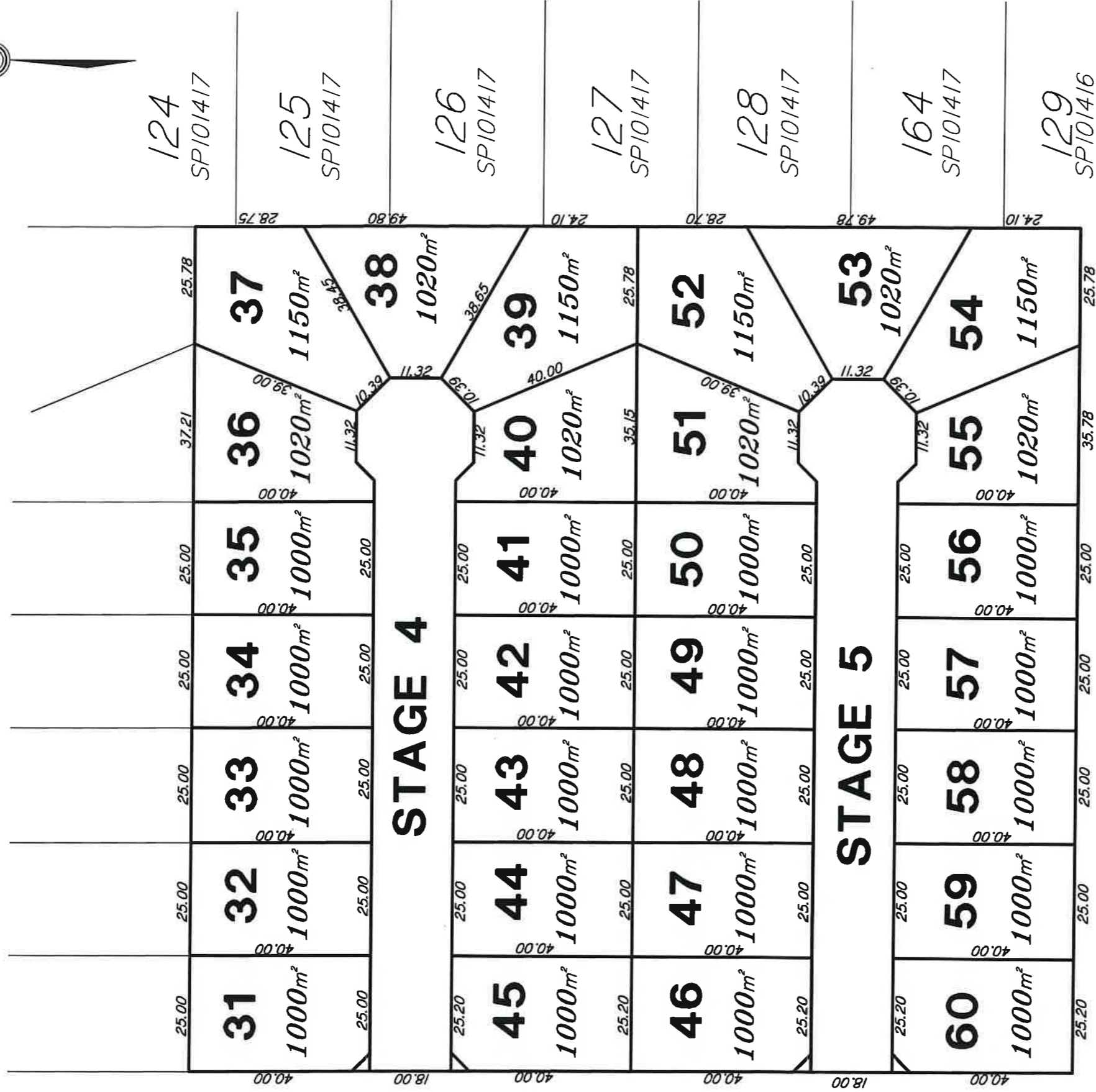
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25132-3

Drawn TJJ 4/09/25 Checked

A3

25132



Note:

This plan was prepared for Robbie Hanna as a proposed subdivision to accompany a subdivision application to the GOONDIWINDI REGIONAL Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan.

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 21/074
Dated: 16/12/2025
Signed: RM Mc Mahan
Print Name: Ronnie McMahon
(Under Delegation) ASSESSMENT MANAGER



ROBBIE HANNA

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Ph (07)4671 2445 Email admin@smkold.com.au

PROPOSAL PLAN TO ACCOMPANY
ROL APPLICATION ON LOTS
60 & 61 RP844302

SCALE: 1:1000

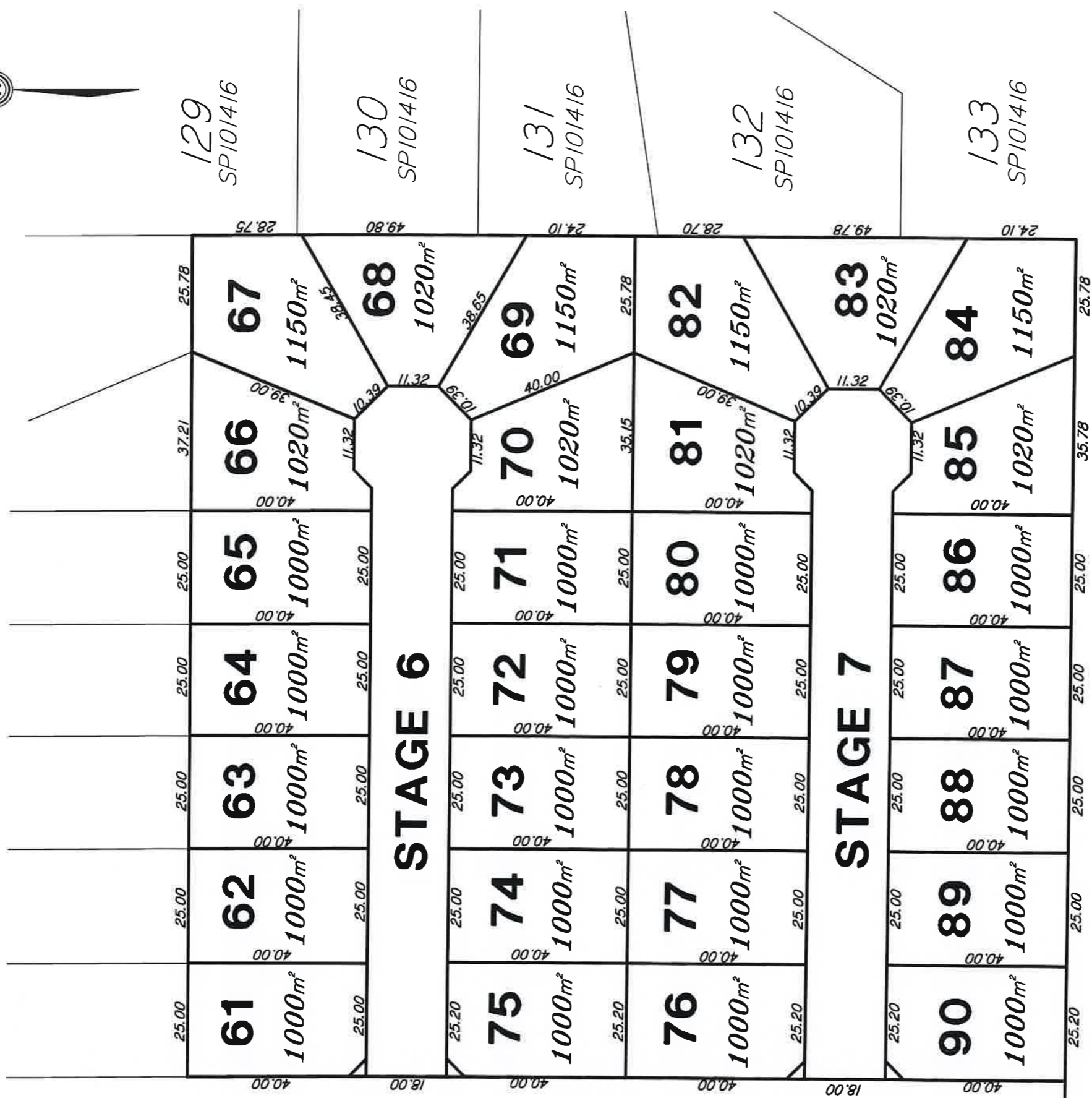
25132-4

Drawn TJJ 4/09/25

Checked

A3

25132



Note:
This plan was prepared for Robbie Hanna as a proposed subdivision to accompany a subdivision application to the GOONDIWINDI REGIONAL Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan.

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 21/076
Dated: 16/12/2025
Signed: *Ronnie McMahon*
Print Name: Ronnie McMahon
(Under Delegation) ASSESSMENT MANAGER



ROBBIE HANNA

SMK OLD PTY. LTD.
Goondiwindi | Brisbane | Gold Coast | Toowoomba | Gatton
Ph (07)4871 2445 Email admin@smkold.com.au

Drawn TJJ 4/09/25 Checked

A3

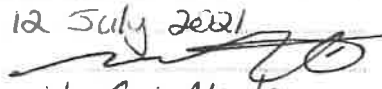
PROPOSAL PLAN TO ACCOMPANY
ROL APPLICATION ON LOTS
60 & 61 RP844302

SCALE: 1:1000

25132

25132-5

Revision 1

GOONDIWINDI REGIONAL COUNCIL
 Approved Plan referred to in Council's Decision Notice
 Council Reference: 21/076
 Dated: 12 July 2021
 Signed: 
 Print Name: Mr. Carl Manton
 (Under Delegation) ASSESSMENT MANAGER

Date: 08/07/2021

Schedule of Designs and Documents

Document Title	Reference	Revision
Traffic Impact Statement	21BRT0141	18 May 2021
Infrastructure Report	200218	Version 1 - 04/12/2020
Overall Conceptual Layout Plan	DA-001	Rev B
ROADWORKS		
Roadworks Conceptual Layout – Sheet 1 of 4	DA-101	Rev A
Roadworks Conceptual Layout – Sheet 2 of 4	DA-102	Rev A
Roadworks Conceptual Layout – Sheet 3 of 4	DA-103	Rev B
Roadworks Conceptual Layout – Sheet 4 of 4	DA-104	Rev A
Road Typical Cross Sections and Details	DA-105	Rev A
Roadworks Control Line 1 Long Sections	DA-106	Rev A
Roadworks Control Line 1 Long Sections	DA-107	Rev A
Roadworks Control Line 1 Long Sections	DA-108	Rev A
Control Line 1 Cross Sections – Sheet 1 of 4	DA-109	Rev A
Control Line 1 Cross Sections Sheet 2 of 4	DA-110	Rev A
Control Line Cross Sections Sheet 3 of 4	DA-111	Rev A
Control Line 1 Cross Sections Sheet 4 of 4	DA-112	Rev A
Roadworks Control Line 2 Long Section	DA-113	Rev A
Control Line 2 Cross Sections	DA-114	Rev A
Roadworks Control Line 3 Long Section	DA-115	Rev A
Control Line 3 Cross Sections	DA-116	Rev A
Roadworks Control Line 4 Long Section	DA-117	Rev A
Control Line 4 Cross Sections	DA-118	Rev A
Roadworks Control Line 5 Long Section	DA-119	Rev A
Control Line 5 Cross Sections	DA-120	Rev A
Roadworks Control Line 6 Long Section	DA-121	Rev A
Control Line 6 Cross Sections	DA-122	Rev A
Roadworks Control Line 7 Long Section	DA-123	Rev A
Control line 7 Cross Sections	DA-124	Rev A
Roadworks Control Line 8 Long Section	DA-125	Rev A
Control Line 8 Cross Sections	DA-126	Rev A
SEWERAGE		
Sewer Conceptual Layout – Sheet 1 of 4	DA-201	Rev B
Sewer Conceptual Layout – Sheet 2 of 4	DA-202	Rev B
Sewer Conceptual Layout – Sheet 3 of 4	DA-203	Rev B
Sewer Conceptual Layout – Sheet 4 of 4	DA-204	Rev B
STORMWATER		
Stormwater Conceptual Layout – Sheet 1 of 4	DA-301	Rev B
Stormwater Conceptual Layout – sheet 2 of 4	DA-302	Rev B
Stormwater Conceptual Layout – Sheet 3 of 4	DA-303	Rev B
Stormwater Conceptual Layout – Sheet 4 of 4	DA-304	Rev B
Stormwater Conceptual Longitudinal Sections	DA-305	Rev A
Stormwater Conceptual Longitudinal Sections	DA-306	Rev A
Stormwater Conceptual Longitudinal Sections	DA-307	Rev A
WATER		
Water Conceptual Layout – Sheet 1 of 4	DA-401	Rev A
Water Conceptual layout – Sheet 2 of 4	DA-402	Rev A
Water Conceptual Layout – Sheet 3 of 4	DA-403	Rev B
Water Conceptual Layout – Sheet 4 of 4	DA-404	Rev A
EARTHWORKS		
Earthworks Conceptual Layout – Sheet 1 of 4	DA-501	Rev A
Earthworks Conceptual Layout – Sheet 2 of 4	DA-502	Rev A
Earthworks Conceptual Layout – Sheet 3 of 4	DA-503	Rev B
Earthworks Conceptual Layout – Sheet 4 of 4	DA-504	Rev A
Earthworks Conceptual Depth Banding Plan	DA-505	Rev A



Attachment 3 – Infrastructure Charges Notice





Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au


Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 1

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 1	A	5,000	2	10,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$10,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2026		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



Goondiwindi Customer Service
Centre
4 McLean Street
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Inglewood Customer Service
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18 Elizabeth Street
Inglewood

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Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 2

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 2	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2028		

Authorised by: 

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

In accordance the Planning Act 2016

Office Use – Receipt Number

Charges – 1250-1150-0000



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Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 3

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 3	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2029		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



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4 McLean Street
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Centre
18 Elizabeth Street
Inglewood

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Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au


Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 4

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 4	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2030		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au


Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 5

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 5	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2031		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

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Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au

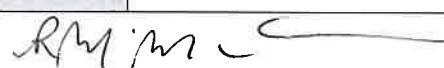
Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 6

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 6	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2032		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au


Infrastructure Charges Notice

Address	63 & 69 Ulawanna Road, Goondiwindi
Owner	Robert Joseph Hanna and Lisa Peri Hanna
Applicant	SMK QLD Pty Ltd for Standfast Assets Pty Ltd
Application No.	23/10
Lot and Survey Plan	Lot 60 on RP844302 & Lot 61 on RP844302
Date	16 December 2025
Approval	Minor Change to existing Development Permit – Reconfiguring a Lot

Development Application Details
Two (2) into ninety-two (92) lot subdivision – STAGE 7

Type of Charge	Charge Area (A, B, C, D or E)	Charge Amount per lot (\$)	Number of additional lots	Charge (\$)
Reconfiguring a Lot Stage 7	A	5,000	15	75,000

Due Date	When Goondiwindi Regional Council approves the plan of subdivision	Total Charge (\$)	\$75,000.00
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	30 June 2033		

Authorised by: 

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

In accordance the Planning Act 2016



Office Use – Receipt Number

Charges – 1250-1150-0000



Attachment 4 – Notice about decision - Statement of reasons



Notice about decision - Statement of reasons

The following information is provided in accordance with section 63 (5) of the *Planning Act 2016* and must be published on the assessment managers website

The development application Reconfiguring a Lot – Two (2) into **Ninety-two (92)** lot subdivision

21/07

63 & 69 Ulawanna Road, Goondiwindi

Lot 60 on RP844302 & Lot 61 on RP844302

On 9 December 2025, the above change application was:

- ☐ approved in full or
☐ approved in part for _____ or
☒ approved in full with conditions or
☐ approved in part for _____, with conditions or
☐ refused.

1. Reasons for the decision

The reasons for this decision are:

- Having regard to the relevant criteria in the *Goondiwindi Region Planning Scheme 2018 (Version 2)*, Schedule 2 of the *Planning Act 2016* and Schedule 1 of the Development Assessment Rules, the proposed changes were approved.

2. Assessment benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Schedule 2 of the Planning Act	
Schedule 1 of the Development Assessment Rules	
Reconfiguring a Lot Code	PO1-PO12
Natural Resources Overlay Code	PO5-PO8
Flood Hazard Overlay Code	PO1-PO4
Biodiversity Areas Overlay Code	PO1-PO3
Bushfire Hazard Overlay Code	PO1-PO8

3. Compliance with benchmarks

Through application of the conditions of approval, the original development approval was considered to achieve compliance with the outcomes of the assessment benchmarks.

No new areas of non-compliance with the scheme are created as a result of the change.

4. Relevant matters for impact assessable development

Not applicable.

5. Matters raised in submissions for impact assessable development

Not applicable.

6. Matters prescribed by Regulation

Not applicable for this proposed development.



Attachment 5 – *Planning Act 2016* Extracts



EXTRACT FROM *PLANNING ACT 2016* RELATING TO APPEAL RIGHTS

Chapter 6 Dispute Resolution, Part 1 Appeal Rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

(a) matters that may be appealed to—

(i) either a tribunal or the P&E Court; or

(ii) only a tribunal; or

(iii) only the P&E Court; and

(b) the person—

(i) who may appeal a matter (the **appellant**); and

(ii) who is a respondent in an appeal of the matter; and

(iii) who is a co-respondent in an appeal of the matter; and

(iv) who may elect to be a co-respondent in an appeal of the matter.

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

(3) The **appeal period** is—

(a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or

(b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or

(c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

(d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the

deemed approval notice to the assessment manager; or

(f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

(6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—

(a) the adopted charge itself; or

(b) for a decision about an offset or refund—

(i) the establishment cost of trunk infrastructure identified in a LGIP; or

(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

(1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—

(a) is in the approved form; and

(b) succinctly states the grounds of the appeal.

(2) The notice of appeal must be accompanied by the required fee.

(3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—

(a) the respondent for the appeal; and

(b) each co-respondent for the appeal; and

(c) for an appeal about a development application under schedule 1, table 1, item 1—each

principal submitter for the development application; and

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

231 Other appeals

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

(4) In this section—

decision includes—

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

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

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

232 Rules of the P&E Court

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

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the appointer) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - (i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice; and

(iii) to analyse complex technical issues; and

(iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

(2) The appointer may—

(a) appoint a referee for the term, of not more than 3 years, stated in the appointment notice; and

(b) reappoint a referee, by notice, for further terms of not more than 3 years.

(3) If an appointer appoints a public service officer as a referee, the officer holds the appointment concurrently with any other appointment that the officer holds in the public service.

(4) A referee must not sit on a tribunal unless the referee has given a declaration, in the approved form and signed by the referee, to the chief executive.

(5) The appointer may cancel a referee's appointment at any time by giving a notice, signed by the appointer, to the referee.

(6) A referee may resign the referee's appointment at any time by giving a notice, signed by the referee, to the appointer.

(7) In this section—

appointment notice means—

(a) if the Minister gives the notice—a gazette notice; or

(b) if the chief executive gives the notice—a notice given to the person appointed as a referee.

234 Referee with conflict of interest

(1) This section applies if the chief executive informs a referee that the chief executive proposes to appoint the referee as a tribunal member, and either or both of the following apply—

(a) the tribunal is to hear a matter about premises—

(i) the referee owns; or

(ii) for which the referee was, is, or is to be, an architect, builder, drainer, engineer, planner, plumber, plumbing inspector, certifier, site evaluator or soil assessor; or

(iii) for which the referee has been, is, or will be, engaged by any party in the referee's capacity as an accountant, lawyer or other professional; or

(iv) situated or to be situated in the area of a local government of which the referee is an officer, employee or councillor;

(b) the referee has a direct or indirect personal interest in a matter to be considered by the tribunal, and the interest could conflict with the proper performance of the referee's functions for the tribunal's consideration of the matter.

(2) However, this section does not apply to a referee only because the referee previously acted in relation to the preparation of a relevant local planning instrument.

(3) The referee must notify the chief executive that this section applies to the referee, and on doing so, the chief executive must not appoint the referee to the tribunal.

(4) If a tribunal member is, or becomes, aware the member should not have been appointed to the tribunal, the member must not act, or continue to act, as a member of the tribunal.

235 Establishing development tribunal

(1) The chief executive may at any time establish a tribunal, consisting of up to 5 referees, for tribunal proceedings.

(2) The chief executive may appoint a referee for tribunal proceedings if the chief executive considers the referee has the qualifications or experience for the proceedings.

(3) The chief executive must appoint a referee as the chairperson for each tribunal.

(4) A regulation may specify the qualifications or experience required for particular proceedings.

(5) After a tribunal is established, the tribunal's membership must not be changed.

236 Remuneration

A tribunal member must be paid the remuneration the Governor in Council decides.

237 Tribunal proceedings

- (1) A tribunal must ensure all persons before the tribunal are afforded natural justice.*
- (2) A tribunal must make its decisions in a timely way.*
- (3) A tribunal may—*
 - (a) conduct its business as the tribunal considers appropriate, subject to a regulation made for this section; and*
 - (b) sit at the times and places the tribunal decides; and*
 - (c) hear an appeal and application for a declaration together; and*
 - (d) hear 2 or more appeals or applications for a declaration together.*
- (4) A regulation may provide for—*
 - (a) the way in which a tribunal is to operate, including the qualifications of the chairperson of the tribunal for particular proceedings; or*
 - (b) the required fee for tribunal proceedings.*

238 Registrar and other officers

- (1) The chief executive may, by gazette notice, appoint—*
 - (a) a registrar; and*
 - (b) other officers (including persons who are public service officers) as the chief executive considers appropriate to help a tribunal perform its functions.*
- (2) A person may hold the appointment or assist concurrently with any other public service appointment that the person holds.*

Division 2 Applications for declarations

239 Starting proceedings for declarations

- (1) A person may start proceedings for a declaration by a tribunal by filing an application, in the approved form, with the registrar.*
- (2) The application must be accompanied by the required fee.*

240 Application for declaration about making of development application

- (1) The following persons may start proceedings for a declaration about whether a development application is properly made—*
 - (a) the applicant;*
 - (b) the assessment manager.*
- (2) However, a person may not seek a declaration under this section about whether a development application is accompanied by the written consent of the owner of the premises to the application.*
- (3) The proceedings must be started by—*
 - (a) the applicant within 20 business days after receiving notice from the assessment manager, under the development assessment rules, that the development application is not properly made; or*
 - (b) the assessment manager within 10 business days after receiving the development application.*
- (4) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.*
- (5) In this section—*

respondent means—

- (a) if the applicant started the proceedings—the assessment manager; or*
- (b) if the assessment manager started the proceedings—the applicant.*

241 Application for declaration about change to development approval

- (1) This section applies to a change application for a development approval if—*
 - (a) the approval is for a material change of use of premises that involves the use of a classified building; and*
 - (b) the responsible entity for the change application is not the P&E Court.*
- (2) The applicant, or responsible entity, for the change application may start proceedings for a*

declaration about whether the proposed change to the approval is a minor change.

- (3) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.

- (4) In this section—

respondent means—

(a) if the applicant started the proceedings—the responsible entity; or

(b) if the responsible entity started the proceedings—the applicant.

Division 3 Tribunal proceedings for appeals and declarations

242 Action when proceedings start

If a document starting tribunal proceedings is filed with the registrar within the period required under this Act, and is accompanied by the required fee, the chief executive must—

- (a) establish a tribunal for the proceedings; and
- (b) appoint 1 of the referees for the tribunal as the tribunal's chairperson, in the way required under a regulation; and
- (c) give notice of the establishment of the tribunal to each party to the proceedings.

243 Chief executive excusing noncompliance

- (1) This section applies if—

(a) the registrar receives a document purporting to start tribunal proceedings, accompanied by the required fee; and

(b) the document does not comply with any requirement under this Act for validly starting the proceedings.

- (2) The chief executive must consider the document and decide whether or not it is reasonable in the circumstances to excuse the noncompliance (because it would not cause substantial injustice in the proceedings, for example).

- (3) If the chief executive decides not to excuse the noncompliance, the chief executive must give a notice stating that the document is of no effect,

because of the noncompliance, to the person who filed the document.

- (4) The chief executive must give the notice within 10 business days after the document is given to the chief executive.

- (5) If the chief executive does excuse the noncompliance, the chief executive may act under section 242 as if the noncompliance had not happened.

244 Ending tribunal proceedings or establishing new tribunal

- (1) The chief executive may decide not to establish a tribunal when a document starting tribunal proceedings is filed, if the chief executive considers it is not reasonably practicable to establish a tribunal.

Examples of when it is not reasonably practicable to establish a tribunal—

- there are no qualified referees or insufficient qualified referees because of a conflict of interest
- the referees who are available will not be able to decide the proceedings in a timely way

- (2) If the chief executive considers a tribunal established for tribunal proceedings—

(a) does not have the expertise to hear or decide the proceedings; or

(b) is not able to make a decision for proceedings (because of a tribunal member's conflict of interest, for example); the chief executive may decide to suspend the proceedings and establish another tribunal, complying with section 242(c), to hear or re-hear the proceedings.

- (3) However, the chief executive may instead decide to end the proceedings if the chief executive considers it is not reasonably practicable to establish another tribunal to hear or re-hear the proceedings.

- (4) If the chief executive makes a decision under subsection (1) or (3), the chief executive must give a decision notice about the decision to the parties to the proceedings.

- (5) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the chief

executive gives the decision notice to the party who started the proceedings.

- (6) The decision notice must state the effect of subsection (5).

245 Refunding fees

The chief executive may, but need not, refund all or part of the fee paid to start proceedings if the chief executive decides under section 244—

- (a) not to establish a tribunal; or
- (b) to end the proceedings.

246 Further material for tribunal proceedings

- (1) The registrar may, at any time, ask a person to give the registrar any information that the registrar reasonably requires for the proceedings.

Examples of information that the registrar may require—

- material about the proceedings (plans, for example)
- information to help the chief executive decide whether to excuse noncompliance under section 243
- for a deemed refusal—a statement of the reasons why the entity responsible for deciding the application had not decided the application during the period for deciding the application.

- (2) The person must give the information to the registrar within 10 business days after the registrar asks for the information.

247 Representation of Minister if State interest involved

If, before tribunal proceedings are decided, the Minister decides the proceedings involve a State interest, the Minister may be represented in the proceedings.

248 Representation of parties at hearing

A party to tribunal proceedings may appear—

- (a) in person; or
- (b) by an agent who is not a lawyer.

249 Conduct of tribunal proceedings

- (1) Subject to section 237, the chairperson of a tribunal must decide how tribunal proceedings are to be conducted.

- (2) The tribunal may decide the proceedings on submissions if the parties agree.

- (3) If the proceedings are to be decided on submissions, the tribunal must give all parties a notice asking for the submissions to be made to the tribunal within a stated reasonable period.

- (4) Otherwise, the tribunal must give notice of the time and place of the hearing to all parties.

- (5) The tribunal may decide the proceedings without a party's submission (written or oral) if—

(a) for proceedings to be decided on submissions—the party's submission is not received within the time stated in the notice given under subsection (3); or

(b) for proceedings to be decided by hearing—the person, or the person's agent, does not appear at the hearing.

- (6) When hearing proceedings, the tribunal—

(a) need not proceed in a formal way; and

(b) is not bound by the rules of evidence; and

(c) may inform itself in the way it considers appropriate; and

(d) may seek the views of any person; and

(e) must ensure all persons appearing before the tribunal have a reasonable opportunity to be heard; and

(f) may prohibit or regulate questioning in the hearing.

- (7) If, because of the time available for the proceedings, a person does not have an opportunity to be heard, or fully heard, the person may make a submission to the tribunal.

250 Tribunal directions or orders

A tribunal may, at any time during tribunal proceedings, make any direction or order that the tribunal considers appropriate.

Examples of directions—

- a direction to an applicant about how to make their development application comply with this Act
- a direction to an assessment manager to assess a development application, even though the referral agency's response to the assessment manager was to refuse the application

251 Matters tribunal may consider

- (1) This section applies to tribunal proceedings about—
 - (a) a development application or change application; or
 - (b) an application or request (however called) under the Building Act or the Plumbing and Drainage Act.
- (2) The tribunal must decide the proceedings based on the laws in effect when—
 - (a) the application or request was properly made; or
 - (b) if the application or request was not required to be properly made—the application or request was made.
- (3) However, the tribunal may give the weight that the tribunal considers appropriate, in the circumstances, to any new laws.

252 Deciding no jurisdiction for tribunal proceedings

- (1) A tribunal may decide that the tribunal has no jurisdiction for tribunal proceedings, at any time before the proceedings are decided—
 - (a) on the tribunal's initiative; or
 - (b) on the application of a party.
- (2) If the tribunal decides that the tribunal has no jurisdiction, the tribunal must give a decision notice about the decision to all parties to the proceedings.
- (3) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the tribunal gives the decision notice to the party who started the proceedings.

- (4) The decision notice must state the effect of subsection (3).
- (5) If the tribunal decides to end the proceedings, the fee paid to start the proceedings is not refundable.

253 Conduct of appeals

- (1) This section applies to an appeal to a tribunal.
- (2) Generally, the appellant must establish the appeal should be upheld.
- (3) However, for an appeal by the recipient of an enforcement notice, the enforcement authority that gave the notice must establish the appeal should be dismissed.
- (4) The tribunal must hear and decide the appeal by way of a reconsideration of the evidence that was before the person who made the decision appealed against.
- (5) However, the tribunal may, but need not, consider—
 - (a) other evidence presented by a party to the appeal with leave of the tribunal; or
 - (b) any information provided under section 246.

254 Deciding appeals to tribunal

- (1) This section applies to an appeal to a tribunal against a decision.
- (2) The tribunal must decide the appeal by—
 - (a) confirming the decision; or
 - (b) changing the decision; or
 - (c) replacing the decision with another decision; or
 - (d) setting the decision aside, and ordering the person who made the decision to remake the decision by a stated time; or
 - (e) for a deemed refusal of an application—
 - (i) ordering the entity responsible for deciding the application to decide the application by a stated time and, if the entity does not comply with the order, deciding the application; or
 - (ii) deciding the application.

(3) However, the tribunal must not make a change, other than a minor change, to a development application.

(4) The tribunal's decision takes the place of the decision appealed against.

(5) The tribunal's decision starts to have effect—

(a) if a party does not appeal the decision—at the end of the appeal period for the decision; or

(b) if a party appeals against the decision to the P&E Court—subject to the decision of the court, when the appeal ends.

255 Notice of tribunal's decision

A tribunal must give a decision notice about the tribunal's decision for tribunal proceedings, other than for any directions or interim orders given by the tribunal, to all parties to proceedings.

256 No costs orders

A tribunal must not make any order as to costs.

257 Recipient's notice of compliance with direction or order

If a tribunal directs or orders a party to do something, the party must notify the registrar when the thing is done.

258 Tribunal may extend period to take action

(1) This section applies if, under this chapter, an action for tribunal proceedings must be taken within a stated period or before a stated time, even if the period has ended or the time has passed.

(2) The tribunal may allow a longer period or a different time to take the action if the tribunal considers there are sufficient grounds for the extension.

259 Publication of tribunal decisions

The registrar must publish tribunal decisions under the arrangements, and in the way, that the chief executive decides.

Schedule 1 Appeals

section 229

Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

(a) the P&E court; or

(b) a tribunal.

(2) However, table 1 applies to a tribunal only if the matter involves—

(a) the refusal, or deemed refusal of a development application, for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(b) a provision of a development approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(c) if a development permit was applied for—the decision to give a preliminary approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(d) a development condition if—

(i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

(ii) the building is, or is proposed to be, not more than 3 storeys; and

(iii) the proposed development is for not more than 60 sole-occupancy units; or

(e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or

(f) a decision for, or a deemed refusal of, a change

application for a development approval that is only for a material change of use of a classified building; or

(g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

(h) a decision to give an enforcement notice—

(i) in relation to a matter under paragraphs (a) to (g); or

(ii) under the Plumbing and Drainage Act; or

(i) an infrastructure charges notice; or

(j) the refusal, or deemed refusal, of a conversion application; or

(l) a matter prescribed by regulation.

(3) Also, table 1 does not apply to a tribunal if the matter involves—

(a) for a matter in subsection (2)(a) to (d)—

(i) a development approval for which the development application required impact assessment; and

(ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

(b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

(4) Table 2 states the matters that may be appealed only to the P&E Court.

(5) Table 3 states the matters that may be appealed only to the tribunal.

(6) In each table—

(a) column 1 states the appellant in the appeal; and

(b) column 2 states the respondent in the appeal; and

(c) column 3 states the co-respondent (if any) in the appeal; and

(d) column 4 states the co-respondents by election (if any) in the appeal.

(7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

(8) In this section—

storey see the Building Code, part A1.1.

Table 1

Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than a development application called in by the

Minister, an appeal may be made against—

(a) the refusal of all or part of the development application; or

(b) the deemed refusal of the development application; or

(c) a provision of the development approval; or

(d) if a development permit was applied for—the decision to give a preliminary approval.

**EXTRACT FROM THE PLANNING ACT 2016
RELATING TO LAPSE DATES**

***Division 4 Lapsing of and extending
development approvals***

85 Lapsing of approval at end of current period

*(1) A part of a development approval lapses at the end of the following period (the **currency period**)—*

(a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—6 years after the approval starts to have effect;

(b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—4 years after the approval starts to have effect;

(c) for any other part of the development approval if the development does not substantially start within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—2 years after the approval starts to take effect.

(2) If part of a development approval lapses, any monetary security given for that part of the approval must be released.