



Development Tribunal – Decision Notice

Planning Act 2016, section 255

Appeal Number:	22-038
Appellant:	Kody Kehrer
Respondent: (Assessment Manager)	Sunshine Coast Regional Council
Site Address:	1 Wiluna Street, Warana described as Lot 218 on Crown Plan W95556 – the subject site

Appeal

Appeal under Section 229 and Schedule 1, Section 1, Table 1, Item 1(c) of the Planning Act 2016 against certain provisions of a Development Approval of a Material Change of Use of premises for a dual occupancy on the subject site subject to a set of conditions, including site cover, landscaping and front wall height conditions.

Date and time of hearing:	Friday 23 September 2022 at 9.30 am
Place of hearing:	The subject site
Tribunal:	Derek Kemp – Chair Lisa Lambie – Member
Present:	Kody Kehrer (property owner, Appellant) Kelly Turner (Sunshine Coast Regional Council) Barry Volp (Sunshine Coast Regional Council) Patrick Ferris (JDBA Certifiers, Appellant's agent)

Decision:

The Development Tribunal, in accordance with section 254(2)(b) of the *Planning Act 2016* **changes** the Approval for the Development Permit for Material Change of Use of premises to establish a dual occupancy by changing certain Assessment Manager Conditions as follows:

Condition numbered 2. Approved Plans

Replace with the following words:

'Development authorised by this approval must be undertaken generally in accordance with the amended plans submitted by the appellant to the Tribunal on 28 September 2022 (identified as the 'SHOREHOMES'[sic] plans, 'Ground Floor Plan', 'First Floor Plan', 'Roof Plan', 'Elevations', 'Landscape Plan'- all annotated 'Version D Amended 26 September 2022'). The aforementioned plans must be amended to incorporate the amendments listed in the development approval and approved by Council prior to the issue of any development permit for building work.'

Condition numbered 4. Site Cover

Replace with the following words:

'The maximum site cover of the development must not exceed 46% for the ground floor and 35% for the upper floor/s'.

Condition numbered 10. Fencing and Walls

Replace with the following words:

'Street fencing and walls and front landscaping must be undertaken generally in accordance with the amended plans submitted by the appellant to the Tribunal on 28 September 2022 (Identified as the 'SHOREHOMES'[sic] plans, 'Ground Floor Plan', 'First Floor Plan', 'Elevations', 'Landscape Plan'- all annotated 'Version D Amended 26 September 2022')

Deletion of **condition numbered 11.**

Amendment of **condition numbered 12(b).**

Replace with the following words:

(b) the full length of all side boundaries to the building line.

Deletion of **condition numbered 13.**

Background

1. The subject site is a rectangular, level block with a site area of 555 square metres developed with a single storey dwelling.

The Proposal

2. The proposal is for a two storey, dual occupancy dwelling.
3. This has the appearance of two double storey attached dwellings of distinctly different appearance. (For clarity, this design difference is a Performance Outcome requirement of the Sunshine Coast Regional Council Planning Scheme 'Dual Occupancy Code');

Assessment of the Application

4. On the 17 March 2022 the Sunshine Regional Council received an application from JDBA Certifiers for a Development Permit for a Material Change of Use of premises for a dual occupancy on the subject site (reference Sunshine Coast Regional Council MCU 22/0085).

(For clarity, the original plans that accompanied the original application were not clear and not complete in the documents lodged with the appeal and were requested by the Tribunal and received by the Registry on 19 August 2022. Referenced as '*Attachment C pdf.*' and acknowledged by Council as the original application plans by email to the Registry on 1st September 2022).

5. On the 12 April 2022 the Sunshine Coast Regional Council issued a 'Further Information Request' that cited a number of 'Key Issues' and requested the applicant to demonstrate how the proposal will meet a number of 'Performance Outcomes' of the Sunshine Coast Regional Council Planning Scheme 'Dual Occupancy Code':

INFORMATION REQUIRED

SITE SUITABILITY, BUILT FORM AND CHARACTER

1. The proposal does not provide sufficient information to demonstrate how Performance Outcome(s) PO1 and PO2 and PO3 of the *Dual occupancy code* has been addressed in relation to:
 - AO2 or AO3 of the code as it exceeds 30% site cover for the upper floor, and it also does not provide the 2m side setback to the upper level;
 - The maximum number of bedrooms per dwelling in the dual occupancy exceeding 3; and
 - The proposal presenting as a mirror image to the street.

The application has not demonstrated:

- how the site has sufficient area and dimensions to accommodate the use (including associated access, parking, landscapes and setback requirements);
- that the development is of a scale that is compatible with surrounding development;
- that the development does not present an appearance of bulk to adjacent premises, road or other areas in the vicinity of the site; or
- that the development provides an attractive address to all street frontages; and makes a positive contribution to the preferred streetscape character of the locality.

Provide an amended layout to demonstrate how the applicable Performance Outcomes can be achieved. This must include:

- (a) **A reduction in upper-level site cover, and a minimum 2m side setback for the upper level.**
- (b) **A reduction in number of bedrooms per unit; and**
- (c) **A design that reduces the mirror appearance of the development from the street.**

SITE LANDSCAPES

2. The alternative solution proposed for site landscaping and fencing does not adequately demonstrate how Performance Outcome PO6 of the *Dual occupancy code* has been achieved.

The application seeks Operational Works approval for landscape works, but no landscape plans have been provided.

Provide amended Architectural Plans and Landscaping Plan/s to demonstrate how the applicable Performance Outcome can be achieved. This is to include:

- (a) **Provision of 20% landscaping not including hard stand areas;**
- (b) **A reduction in the front fence height to 1.2m.**

6. JDBA Certifiers responded to the Council Further Information Request on the 18 May 2022. Various follow up emails between JDBA Certifiers and the responsible Council Officers resulted in additional information with amended plans being tendered by JDBA Certifiers to the Sunshine Coast Regional Council, ending on 15 June 2022.
7. On the 7 July 2022 the Sunshine Coast Regional Council 'approved' a Development Permit for a Material Change of Use of premises for a dual occupancy on the subject site subject to the following conditions (Reference Sunshine Coast Regional Council 'Decision Note' to the Applicant dated 12 July 2022) inter alia:

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval. The Approved Plans must be amended to incorporate the amendments* listed within this development approval and approved by Council prior to the issue of any development permit for building work.

**(Refer to Advisory Note)*

Building Height

3. The maximum height of the development must not exceed 8.5m above the natural ground level for the site.

Site Cover

4. The maximum site cover of the development must not exceed 50% for the ground floor and 30% for the upper floor/s.

Side Boundary Setbacks

5. The side boundary setbacks of the building must be compliant with the Queensland Development Code MP 1.3 Acceptable Solution A2(a).

Street Identification

6. The street address of each dwelling must be clearly visible and discernible from the primary frontage of the site by the provision of a street number.

Building Appearance

7. The building must be constructed such that it incorporates variation in the external design features for each dwelling, with no inclusions or future alterations being made without approved in writing by Council.
8. All air conditioning units or other mechanical equipment must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Protection of Privacy

9. To ensure privacy is protected between adjoining properties, the windows of the upper level of the southern and northern elevation of both units must either:
 - (a) have a minimum window sill height of 1.5m above floor level;
 - (b) be fitted with translucent glazing below 1.5m above floor level; or
 - (c) be fitted with a fixed external screen.

Fencing and Walls

10. Street fencing, gates, and walls must have a maximum height of 1.2m above ground level and be located behind a minimum 1m wide frontage landscape strip.

ASSESSMENT MANAGER CONDITIONS

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A DUAL OCCUPANCY – MCU22/0085

PLANNING

When Conditions Must Be Complied With

1. Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

11. Street fencing and gates must include 50% transparency.
12. Unless otherwise agreed by the adjoining owner in writing, a 1.8m high solid screen fence or a combination of screen fence and retaining wall to a maximum total height of 2m compliant with the Queensland Development Code MP1.3 Acceptable Solution A2(c)(iii), must be provided along:
 - (a) the full length of all rear site boundaries; and,
 - (b) the full length of all side site boundaries to the building line, with returns at the building line provided to screen service areas.
13. Side fencing in front of the building line must gradually reduce to a maximum height of 1.2m to match the height of street fencing.

Bin Storage

14. Screened bin storage areas must be provided on paved areas adjacent to garage walls, away from property boundaries and behind the front building line.
8. For clarity, the Plans stamped 'Approved' by the Sunshine Coast Regional Council dated 7 July 2022 lodged with the Appeal Documents were incomplete. The Tribunal requested a full set of plans that accompanied the Council 'Decision to Approve'. These were provided to the Tribunal on the 19 August 2022. These were agreed by Council to be the 'Approved Plans' by email to the Registry on 1 September 2022 (Reference '*Attachment A – Architectural Plans4.pdf*', *Attachment A – Landscape Plans4.pdf*).

Further Plans Considered by the Tribunal

9. An undated 'Supporting Information' letter lodged by JBDA that accompanied the Form 10 'Notice of Appeal' received by the Registry on the 22 July 2022 provided further Town Planner comments in support of the Appeal and contained advice that amended plans were being prepared that addressed a number of conditions imposed by the Council 'Approval' Decision of the 7 July 2022.
10. These 'amended plans' were received by the Registry on 23 September 2022 (Reference, '*Attachment B Updated Plans-Tribunal2.pdf*').
11. On 23 August 2022 the Tribunal requested the Sunshine Coast Regional Council 'Assessment Agency Response' to the latest amended plans.
12. The appropriate Council officer responded to this request (by email to the Registry on the 1 September 2022) as follows:

'I note that the plans at Attachment B differ from those in Council's Decision Notice of 12 June.

The updated plans address some of the requirement [sic] plan amendments listed in the Decision Notice, including:

- *reduced the upper level wall extension facing the street such that they comply with the setback requirements and, no [sic] not result in a mirror image to the street*
- *relocated the bins storage areas closer to the building, however, it is unclear where the bins storage is now as it is not shown on the plans.*

The following amendments required by the decision notice have not been made in the updated plans:

- *the driveways have not been amended to reflect the approved Operational Works drawings*
- *part of the front fence height has been reduced to 1.2m, but at the side it appears to still be a 1.8m high fence*
- *the upper level side [sic] cover remains greater than 30% (it is noted that this is part of the appeal)'*

- *the Landscape Plan requires amendments to match the above amendments, but it has not be [sic] included in the amended plans package.*

Further, it is noted that in the Attachment B plans there have been further changes made to the plans that were not required by the approval and that were not part of the original assessment. The whole building has been repositioned on the site moving it closer to the street resulting in the upper level street frontage setback reducing from 5.78m to 4.38m, adding to the visual impact that the building will have on the streetscape’.

Nearby Developments

13. The nearby properties are all single storey detached dwellings.
14. The property immediately to the east (6 Marana Street) is a single storey detached dwelling, set behind a low, highly transparent metal fence. This building fronts Marana Street and is set back 3.0 metres from Wiluna Street, and incorporates a garage located nearest the subject site set back 3.43 metres from Wiluna Street.
15. The property immediately to the west (3 Wiluna Street) is a single storey detached dwelling, this is set back approximately six metres from the Wiluna Street frontage. The pool for this dwelling occupies the front set back of this property which is located behind a two metre high rendered masonry fence, topped with approximately 300 mm high horizontal timber slats, along the front boundary and the common side boundary with the subject site.
16. The next property to the west (5 Wiluna Street) is a single storey detached dwelling, this is set back approximately six metres from the Wiluna Street frontage. Parts of this property frontage have portions of a similar two metre high rendered masonry fence.
17. The other property to the west on this side of Wiluna Street is a single storey detached brick dwelling located on the corner of Wiluna Street and Bullando Street (11 Bullando Street). This dwelling is set behind a 1.8 metre high brick fence that runs along its full frontage to Wiluna Street and around the corner along the Bullando Street frontage.
18. The Tribunal notes the site cover of recently approved Material Change of Use development approvals for nearby properties. (Reference ‘Recent Approvals’ email sent by Pat Ferris of JBDA Certifiers, received by the Registry on 23 September 2022).
19. It was agreed by the Tribunal and all parties during the Hearing site inspection that the properties on the opposite, southern, side of Wiluna Street had no influence on the streetscape and proposed building bulk impacts for consideration by the Tribunal.

Material Considered

20. The material considered in arriving at this decision comprises:
 - a. Form10- Notice of Appeal/Application for Declaration, being the grounds for appeal and accompanying plans and correspondence accompanying the Notice of Appeal lodged with the Registrar on 22 July 2022.
 - b. The original plans that accompanied the original application received by the Registry on 19 August 2022 (referenced as ‘Attachment C pdf’, and acknowledged by Council as the original application plans by email to the Registry on 1st September 2022). (For clarity, the original plans that accompanied the original application were not clear and not complete in the documents lodged with the appeal. The original plans lodged with the application were requested by the

Tribunal and received by the Registry on 19 August 2022 referenced as 'Attachment C pdf, and acknowledged by Council as the original application plans by email to the Registry on 1st September 2022).

- c. The undated 'Supporting Information' letter lodged by JBDA that accompanied the Form 10 'Notice of Appeal' received by the Registry on the 22 July 2022 providing further Town Planner comments in support of the Appeal and containing advice that amended plans were being prepared that addressed a number of conditions imposed by the Council 'Approval' Decision of the 7 July 2022.
- d. The amended plans that accompanied the Council 'Decision to Approve'. These were provided to the Tribunal on the 19 August 2022 (Reference 'Attachment A – Architectural Plans4.pdf', Attachment A – Landscape Plans4.pdf). (For clarity the Plans stamped 'Approved' by the Sunshine Coast Regional Council dated 7 July 2022 lodged with the Appeal Documents are incomplete. The Tribunal requested a full set of plans that accompanied the Council 'Decision to Approve'. These were provided to the Tribunal on the 19 August 2022 (Reference 'Attachment A – Architectural Plans4.pdf', Attachment A – Landscape Plans4.pdf). These were agreed by Council to be the 'Approved Plans' by email to the Registry on 1 September 2022).
- e. The 'amended plans' for the proposed development received by the Registry on 23 September 2022 (Reference, 'Attachment B Updated Plans-Tribunal2.pdf').
- f. The Sunshine Coast Regional Council 'Assessment Agency Response' to these amended plans (received by email to the Registry on the 1 September).
- g. Sunshine Coast Planning Scheme 2014 - 'Dual Occupancy Code' (Amended November 2019)
- h. Verbal representations at the Tribunal Hearing on 23 September 2022.
- i. The site cover of recently approved Material Change of Use development approvals for nearby properties. (Reference 'Recent Approvals' email from Pat Ferris of JBDA Certifiers, received by the Registry on 23 September 2022).
- j. The summary of additional points made by the Appellant's representative at the Hearing concerning the Performance Objectives (Reference email sent by Pat Ferris of JBDA Certifiers, received by the Registry on 23 September 2022).
- k. The amended plans submitted to Tribunal on 28 September 2022 (Reference the attachment 'Version D Plans (26 September 2022).pdf'. attached to the email sent by Pat Ferris of JBDA Certifiers to the Registry on 28 September 2022)

Findings of Fact

21. The Tribunal finds that two Applications were made to the Sunshine Coast Regional Council:
 - a. An application for 'Development Permit' for a 'Material Change of Use' of premises for a dual occupancy on the subject site (reference Sunshine Coast Regional Council MCU 22/0085).
 - b. An application for a 'Development Permit' for 'Operational Work' on the subject site (reference Sunshine Coast Regional Council OPW 22/0135).
22. The Tribunal finds only the application for a Development Permit for a Material Change of Use of premises for a dual occupancy on the subject site (reference Sunshine Coast Regional Council MCU 22/0085) to be the subject of this appeal.
23. The Tribunal finds the amended plans (submitted to Tribunal on 23 September 2022 (Reference, 'Attachment B Updated Plans-Tribunal2.pdf) to be a 'minor change' (under Section 254(3) of the Planning Act 2016) to the amended plans (Reference 'Attachment A – Architectural Plans4.pdf', Attachment A – Landscape Plans4.pdf) submitted with the Building Development Application (reference Sunshine Coast Regional Council MCU 22/0085).

24. The Tribunal finds the only conditions imposed by the '*Decision to Approve*' (reference Sunshine Coast Regional Council 'Decision Note' to the Applicant dated 12 July 2022) that remain in dispute and the subject of this appeal at the time of the Hearing to be (reference Sunshine Coast Regional Council 'Assessment Agency Response' to the latest amended plans received by email to the Registry on the 1 September 2022) were:
- a. The repositioning of the building resulting in the upper level building 'set-back' from the street frontage being reduced from 5.78 metres to 4.38 metres.
 - b. The upper level 'site cover' being greater than 30%.
 - c. The part of the side fence between the building line and the front fence being greater than 1.2 metres.
 - d. The location of the bin storage (which was not clear from the amended plans).
 - e. The driveways not conforming to the approved 'Operational Works' drawings.
 - f. The lack of 'landscaping plans' conforming to the amendments required by Council.
25. The Tribunal finds the amended plans (submitted to Tribunal on 28 September 2022 (Reference the attachment '*Version D Plans (26 September 2022).pdf*' attached to the email sent by Pat Ferris of JBDA Certifiers to the Registry on 28 September 2022) to be a 'minor change' (under Section 254(3) of the Planning Act 2016) to the plans approved by the Sunshine Coast Regional Council on the 7 July 2022 that accompanied the Council '*Decision to Approve*'. (Reference 'Attachment A – Architectural Plans4.pdf', Attachment A – Landscape Plans4.pdf').

Reasons for the Decision

26. The relevant part of the Sunshine Coast Regional Council Planning Scheme is the '*Dual Occupancy Code*' 9.3.5 and the '*Purpose and overall outcomes*' 9.3.5.2 of that code that state:

9.3.5.2 Purpose and overall outcomes

- (1) The purpose of the Dual occupancy code is to ensure dual occupancies are appropriately located, achieve a high level of comfort and amenity for occupants, maintain the amenity of neighbouring premises and are compatible with the character and *streetscape* of the local area.
- (2) The purpose of the Dual occupancy code will be achieved through the following overall outcomes:-
 - (a) a *dual occupancy* is located in an area intended to accommodate more diverse housing options and is integrated within its neighbourhood setting in a manner which appropriately disperses the distribution of density having regard to the intent of the zone;
 - (b) a *dual occupancy* incorporates a high standard of design and makes a positive contribution to the *streetscape* character of the area in which it is located;
 - (c) a *dual occupancy* is sited and designed to protect the amenity, privacy and access to sunlight of adjoining residential premises;
 - (d) a *dual occupancy* provides a high level of amenity and convenience to residents of the *dual occupancy*; and
 - (e) a *dual occupancy* is provided with an appropriate level of *infrastructure* and services.

27. One relevant provision of the Sunshine Coast Regional Council Planning Scheme 'Dual Occupancy Code' is the *Location and Site Suitability 'Performance Outcome'* PO1 that states:

Performance Outcomes	
Location and Site Suitability	
PO1	<p>The <i>dual occupancy</i> is located on a <i>site</i> which:-</p> <ul style="list-style-type: none"> (a) is convenient to local services and public transport; (b) is in an area intended to accommodate more diverse housing options; (c) is dispersed and not concentrated within low density residential neighbourhoods; (d) has sufficient <i>frontage</i> to achieve desired built form and streetscape outcomes;
	<ul style="list-style-type: none"> (e) has sufficient area and dimensions to accommodate the use (including associated access, parking, landscapes and setback requirements); and (f) is not steep and is otherwise suitable for the proposed development.

28. The Tribunal noted the relevant 'Acceptable Outcomes' that would meet 'Performance Outcome' PO1 is AO1.2 that states:

AO1.2	<p>Where located on a <i>site</i> included in the Low density residential zone, other than in Precinct LDR-1 (Protected Housing Area) and there is no approved plan of development (nominating <i>dual occupancy</i> lots), the <i>site</i>:-</p> <ul style="list-style-type: none"> (a) has a minimum area of 800m², exclusive of any access strip; (b) does not adjoin another lot developed or approved for a <i>dual occupancy</i>; and (c) has a <i>slope</i> of not more than 15%.
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29. The Tribunal finds that the proposed development has a site area of 555 square metres and meets the *Location and Site Suitability 'Performance Outcome'* PO1 of the Sunshine Coast Regional Council Planning Scheme 'Dual Occupancy Code'- including that the site *has 'sufficient frontage to achieve desired built form and streetscape outcomes'* and the site has *'sufficient area and dimensions to accommodate the use'*.

30. The second relevant provision of the Sunshine Coast Regional Council Planning 'Dual Occupancy Code' is the *Site Cover and Density 'Performance Outcome'* PO2 that states:

Site Cover and Density	
PO2	<p>The <i>dual occupancy</i>:-</p> <ul style="list-style-type: none"> (a) is of a scale that is compatible with surrounding development; (b) does not present an appearance of bulk to adjacent premises, road or other areas in the vicinity of the <i>site</i>; (c) maximises opportunities for the retention of existing <i>vegetation</i> and allows for soft landscapes between buildings and the street; (d) allows for adequate area at ground level for outdoor recreation, entertainment, clothes drying and other site facilities; and (e) facilitates on-site stormwater management and vehicular access.

31. The Tribunal notes the relevant 'Acceptable Outcomes' that would meet 'Performance Outcome' PO2 is AO2.1 that states:

AO2.1	<p>The <i>site cover</i> of the <i>dual occupancy</i> does not exceed:-</p> <ul style="list-style-type: none"> (a) 50% where a single <i>storey dual occupancy</i>; (b) 40% where the <i>dual occupancy</i> is 2 or more <i>storeys</i> in height; or (c) 50% for the ground floor and 30% for the upper floors where the <i>dual occupancy</i> is 2 or more <i>storeys</i> in height.
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32. The Tribunal noted that the proposed development (as amended) has an average site cover of 40.45% (which is more than the 'Acceptable Outcome' in AO2.1(b)), that the ground storey site cover is 45.8% (which is less than the site cover in AO2.1(a) and AO2.1(c)) and the upper storey site cover is 34.9% (which is less than the site cover in AO2.1(b) but greater than the site cover of AO2.1(c) for the upper storey in AO2.1).
33. The Tribunal finds that the proposed development will meet the *Site Cover and Density 'Performance Outcome'* PO2 of the Sunshine Coast Regional Council Planning 'Dual Occupancy Code' - including the provision that the proposed development 'will be of a scale that is compatible with surrounding development' and does not 'present an appearance of bulk to adjacent premises, road or other areas in the vicinity of the subject site'.
34. The third relevant provision of the Sunshine Coast Regional Council Planning 'Dual Occupancy Code' is the *Street Character 'Performance Outcome'* PO3, that states:

Streetscape Character	
PO3	<p>The <i>dual occupancy</i> is designed and constructed to:-</p> <ul style="list-style-type: none"> (a) provide an attractive address to all street <i>frontages</i>; (b) make a positive contribution to the preferred <i>streetscape</i> character of the locality; (c) provide shading to walls and windows of the <i>dual occupancy</i>; (d) minimise opportunities for residents to overlook the <i>private open space</i> areas of neighbouring premises; and (e) maximise the retention of existing mature trees within the <i>frontage</i> setback, to retain <i>streetscape</i> character.

35. The Tribunal noted the relevant 'Acceptable Outcomes' that would meet 'Performance Outcome' PO3 is AO3.2 that states

AO3.2	<p>The <i>dual occupancy</i> is setback at least 4.5 metres from any street <i>frontage</i>, with any garage or carport associated with the <i>dual occupancy</i> setback at least 6 metres.</p>
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36. The Tribunal finds that the amended plans submitted to Tribunal on 28 September 2022 (Reference the attachment '*Version D Plans (26 September 2022).pdf*' attached to the email sent by Pat Ferris of JBDA Certifiers to the Registry on 28 September 2022) provide a *minimum* set back of the outermost point from the Wiluna Street frontage of 6 metres for the garages, 4.55 metres for the upper planter box and 4.7 metres for the upper storey. The Tribunal finds this meets the 'Acceptable Outcome' AO3.2.

Derek Craven Kemp
 Development Tribunal Chair
 Date: 5 December 2022

Appeal Rights:

Schedule 1, Table 2, item 1 of the *Planning Act 2016* provides that an appeal may be made against a decision of a Tribunal to the Planning and Environment Court, other than a decision under section 252, on the ground of -

- (a) an error or mistake in law on the part of the Tribunal; or
- (b) jurisdictional error.

The appeal must be started within 20 business days after the day notice of the Tribunal decision is given to the party.

The following link outlines the steps required to lodge an appeal with the Court.

<http://www.courts.qld.gov.au/courts/planning-and-environment-court/going-to-planning-and-environment-court/starting-proceedings-in-the-court>

Enquiries:

All correspondence should be addressed to:

The Registrar of Development Tribunals

Department of Energy and Public Works

GPO Box 2457

Brisbane QLD 4001

Telephone 1800 804 833

Email: registrar@epw.qld.gov.au