

Our Reference: MCUI/2025/9628  
CS Portal Reference: N/A  
Officer: Cassidy Pugh  
Contact: (07) 4688 6971  
Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

**Development Application Decision Notice**  
**APPROVAL**  
*Planning Act 2016 Section 63*

Lionel Moore Trailers Pty Ltd  
C/- Precinct Urban Planning  
PO Box 3038  
TOOWOOMBA QLD 4350

Email: [andrew@precinctplan.com.au](mailto:andrew@precinctplan.com.au)  
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29 April 2026

Dear Sir/Madam

**Location:** 58 French Road, PITTSWORTH QLD 4356  
**Property Description:** Lot 1 AG4028, Emt A SP305360  
**Relevant Planning Scheme:** *Toowoomba Regional Planning Scheme 2012*

The Development Application for Material Change of Use – Impact – Undefined Use (Non-Resident Workforce Accommodation), for the abovementioned property has been assessed and approved in full with Conditions. It is considered that the approved development generally complies with the relevant assessment benchmarks or can be conditioned to comply. The decision was made on 28 April 2026. The following provides all the relevant details:

#### Details of Approval

Development Permit – Material Change of Use – Impact – Undefined Use (Non-Resident Workforce Accommodation)

#### Referral Agencies

Concurrence Agencies Name & Address: Department of State Development, Infrastructure and Planning  
PO Box 825  
TOOWOOMBA QLD 4350

Advice Agencies Name & Address: Ergon Energy  
PO Box 8888  
TOOWOOMBA QLD 4350

#### Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

Concurrence Agency Conditions: As per attached Schedule 2

Advice Agency Comments:

As per attached Schedule 3

#### **Currency Period**

In accordance with section 85(1)(a)(ii) of the *Planning Act 2016* (Qld), this Development Approval lapses, to the extent the development is not completed, if the first material change of use under this Development Approval has not happened within six (6) years of this Development Approval starting to have effect.

#### **Further Development Permits Required**

- Building Work
- Plumbing and Drainage Work
- Operational Work

#### **Further Plans/Documents for Endorsement**

The following documents/plans require Endorsement:

- Landscape Plan

#### **Submissions**

There were no properly made submissions for this application.

#### **Rights of Appeal**

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via:

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Emily Hinchliffe  
Lead Senior Planner, Planning Branch



# TOOWOOMBA REGIONAL COUNCIL

A.B.N. 997 8830 5360

## SCHEDULE 1

### DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - IMPACT

<b>APPLICATION NUMBER:</b>	MCUI/2025/9628
<b>APPLICANT:</b>	Lionel Moore Trailers Pty Ltd
<b>LOCATION:</b>	58 French Road, PITTSWORTH QLD 4356
<b>PROPERTY DESCRIPTION:</b>	Lot 1 AG4028, Emt A SP305360
<b>APPROVED USE:</b>	Undefined Use (Non-Resident Workforce Accommodation)
<b>ZONING / PRECINCT:</b>	High Impact Industry / Not Applicable

#### A. ASSESSMENT MANAGER'S CONDITIONS:

##### PLANNING

##### APPROVED USE

1. This Development Approval is for a Material Change of Use for Undefined Use (Non Resident Workforce Accommodation) comprising of 15 x one (1) bedroom units.

##### CARRY OUT & MAINTAIN DEVELOPMENT

2. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
3. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval.
4. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

##### APPROVED PLANS

5. The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval and the amendments listed below:

**Plan No:** -

**Description:** Site Plan, prepared by Moore Trailers and dated 10 December 2025

**Amendments:** As marked up in RED by Council to show:

- Pedestrian pathway must extend to existing industrial shed buildings
- Existing buildings that do not form part of this approval

**Plan No:** -

**Description:** Site Setout Plan, prepared by Moore Trailers and dated 10 December 2025

**Amendments:** Nil

**Plan No:** -  
**Description:** Kitchen/Laundry Layout, prepared by Moore Trailers and dated 24 October 2025  
**Amendments:** Nil

**Plan No:** MT – 02, Sheet No 2 of 8, Revision 2  
**Description:** Layout Plan, prepared by Bella Manufacturing and dated 3 December 2024  
**Amendments:** Nil

**Plan No:** MT – 02, Sheet No 3 of 8, Revision 2  
**Description:** Elevations and Section Locations, prepared by Bella Manufacturing and dated 3 December 2024  
**Amendments:** Nil

**Plan No:** MT – 02, Sheet No 4 of 8, Revision 2  
**Description:** Sections, prepared by Bella Manufacturing and dated 3 December 2024  
**Amendments:** Nil

### **COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)**

6. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:
  - 6.1 Driveway Crossover; and
  - 6.2 Bulk Earthwork (If required).

### **COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)**

7. Prepare and submit the following documents in accordance with the conditions of this Development Approval and obtain Council's endorsement:
  - 7.1 Landscape Plan

### **AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS**

8. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during earthworks and construction.

## **WORKS**

### **ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS**

9. Plans and specifications for all works associated with any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
10. A RPEQ must submit to Council a copy of the:
  - 10.1 Design Certificate prior to commencement of the works; and
  - 10.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
11. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.

12. Where any condition refers to or requires an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

### **STORMWATER DRAINAGE**

13. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

### **STORMWATER DISCHARGE**

14. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the subject land, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
15. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
16. Stormwater must be dispersed as sheet flow.
17. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 - Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

### **BULK EARTHWORKS**

18. Where earthworks are not assessed as part of a Development Application for a Development Permit for Building Work, prior to the commencement of any earthworks on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council.

### **EROSION & SEDIMENT CONTROL**

19. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
20. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
21. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
22. All disturbed areas must be mulched or turfed as soon as possible during construction.

### **AIR QUALITY IMPACT MITIGATION**

23. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building and operational work.

24. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:
- 24.1 Dust deposition of 133 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulate matter - Deposited matter - Gravimetric method*.

#### **CONSTRUCTION WASTE MANAGEMENT & STORAGE**

25. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
26. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
27. Fires are not to be lit to dispose of demolition or construction waste.
28. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
- 28.1 Elsewhere within this Development Approval;
- 28.2 In accordance with an associated Development Permit for Operational Work;
- 28.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
- 28.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
- 28.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
29. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

#### **CONSTRUCTION NOISE IMPACT MITIGATION**

30. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 am and 6:30 pm Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

#### **DAMAGE TO SERVICES & ASSETS**

31. Protect Council and public utility services and assets during construction of the development.
32. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:

- 32.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
- 32.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
33. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
34. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

*Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.*

## **SERVICES & UTILITIES**

### **ON-SITE WASTEWATER TREATMENT & DISPOSAL**

35. The development must be provided with an on-site wastewater treatment and effluent disposal system having a capacity and land application area sufficient for the use. The area nominated on the Approved Plans for the wastewater treatment and effluent disposal, including irrigation areas, are maintained for this purpose for the life of the approval.
36. The wastewater treatment and effluent disposal system must comply with *Australian Standard AS3500.2 – National Plumbing and Drainage - Sanitary Plumbing and Drainage*; and *Australian Standard AS1547:2012 - On Site Domestic-Wastewater Management* where system size is not exceeded (ref. Part 1.2.1.2 of AS1547:2012).

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

37. All reasonable and practicable measures must be undertaken to prevent treated wastewater and effluent from overflowing or seeping onto adjoining properties.

### **WATER SUPPLY**

38. The development must be provided with a potable water supply having a capacity sufficient for the use that complies with the *Australian Drinking Water Guidelines (NHMRC, 2011)*.
39. The development must be connected to the onsite water supply system at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

*Note: Water reticulation works will require a permit in accordance with the *Plumbing and Drainage Act 2002*.*

## **TRANSPORT, VEHICULAR ACCESS & PARKING**

### **PROVISION OF VEHICULAR ACCESS**

40. The vehicle access from the subject land to French Road must be provided from the road edge to the property boundary. The access must be designed by a Registered Professional Engineer Queensland (RPEQ) – Civil and must include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. Such works must be constructed as specifically required below:
- 40.1 The vehicle access must be located as shown on the Approved Plans listed within this Development Approval;

- 40.2 The vehicle access (crossing the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia *Drawing RS-056 Rural Driveways*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
  - 40.3 The vehicle access (crossing of the verge) must align neatly on both sides with the verge with a maximum cross fall of 2.5%.
  - 40.4 The vehicle access (crossing of the verge) must be located a minimum of one (1) metre clear of existing power poles, streetlights or any signage; and
  - 40.5 The relevant service authorities must be contacted and their requirements complied with.
41. Prior to the commencement of any works on the subject land, a Development Application for a development Permit for Operational Work must be submitted to and be approved by Council for the vehicle access.

#### **ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING**

42. The premises must be provided with a minimum of fifteen (15) on-site car parking spaces inclusive of one (1) PWD car parking space, together with standing and manoeuvring for refuse collection service vehicles. Car parking and manoeuvring areas must be:
- 42.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
  - 42.2 Provided with a gravel hardstand surface, at a minimum, and be line marked or otherwise delineated to the minimum dimensions detailed in the *Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities*. Designed and constructed in accordance with the requirements of AS2890;
  - 42.3 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.1 Clause 2.4.5 (1.3m high bollards), AS1428.1 and AS2890.6:2009;
  - 42.4 Accessible and available to the staff during approved hours of operation.
  - 42.5 Provided with signage and pavement markings that indicate the location of parking areas and the proposed flow of traffic through the subject land; and
  - 42.6 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

#### **ENVIRONMENT & WASTE**

##### **ACOUSTIC AMENITY - GENERAL**

43. Service vehicle movements associated with the approved use (including loading and unloading) must occur only between the hours of:
- 43.1 7:00 am to 10:00 pm Monday to Saturday; and
  - 43.2 9:00 am to 10:00 pm Sunday or any Public Holiday.
44. Drainage grating over trafficable areas must be well secured and maintained to prevent rattling.
45. Driveway areas are to be finished with a surface which prevent tyre squeal. An uncoated surface is acceptable.

### **ACOUSTIC AMENITY - NOISE LIMITS**

46. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive receptor.
47. Where considered warranted by Council and when requested in writing to do so, a noise investigation must be undertaken to investigate a complaint of noise nuisance. In such instances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Noise Emission Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request. Measurement of noise emissions (adjusted for tonality and impulse) must be generally in accordance with the most recent version of *Australian Standard AS1055.1 Acoustics - Description and measurement of environmental noise - General procedures*.

### **ACOUSTIC AMENITY - MECHANICAL PLANT**

48. All “refrigeration equipment”, “pumps”, “regulated devices”, and “air conditioning equipment” as defined by the *Environmental Protection Act 1994* must be designed, installed, operated and maintained to comply with the noise standards as specified within the *Environmental Protection Act 1994*.
49. Any fixed mechanical plant that causes either tonal ( $L_{eq}$ ) sound (e.g. from basement car-park or kitchen exhaust, air conditioning unit or pool filtration unit), or impulse ( $L_{max}$ ) sound, must be enclosed, shielded or positioned to ensure that noise emissions do not exceed the following noise limits when measured at any sensitive place or commercial place:
  - 49.1 Before 7.00AM, if it makes a noise of more than 3dB(A) above the background noise level ( $L_{90}$ ); or
  - 49.2 From 7.00AM to 10.00PM, if it makes a noise of more than 5dB(A) above the background noise level ( $L_{90}$ ); or
  - 49.3 After 10.00PM, if it makes a noise of more than 3dB(A) above the background noise level ( $L_{90}$ ).

### **AIR QUALITY & AMENITY - AIR RELEASE LIMITS**

50. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive receptor place must not be released to the atmosphere.
51. Where considered warranted by Council and when requested in writing to do so, an air quality investigation must be undertaken to investigate a complaint of air pollution, odour or dust nuisance. In such circumstances, a qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Air Release Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

### **AIR QUALITY & AMENITY - DUST SUPPRESSION TREATMENTS**

52. Vehicle manoeuvring areas are to be provided with a surface that prevents tyre squeal that causes environmental nuisance at any receptor.
53. Where a gravel below 16 millimetres in diameter is utilised for the surface of the gravel hardstand:

- 53.1 Hardstand areas must be first treated with a dust suppressant product (such as PetroTac) in accordance with the manufacturers specifications; and
- 53.2 Records documenting maintenance inspections and dust suppressant application history details must be maintained and made available for inspection at any time upon request by Council.

#### **OUTDOOR LIGHTING IMPACT MITIGATION**

- 54. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting*.
- 55. All flood lighting must be of a type that gives no upward component of light when mounted horizontally (i.e. a full cut off luminaire).
- 56. Where considered warranted by Council and when requested in writing to do so, a lighting impact investigation must be undertaken to investigate a complaint of light nuisance. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the lighting levels listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

#### **WASTE MANAGEMENT (GENERAL)**

- 57. All waste generated on the subject land must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

#### **WASTE MANAGEMENT (BIN PROVISION & STORAGE)**

- 58. Refuse storage facilities must be provided generally in accordance with the Approved Plans listed within this Development Approval and the following:
  - 58.1 The size, mix and capacity of bins provided must be sufficient to accommodate the type and level of waste likely to be generated from the development having regard to the frequency of disposal or collection;
  - 58.2 Provision of a constructed communal bin store with an impervious hardstand base for the permanent storage location wheelie bins, each having minimum dimensions of 1m<sup>2</sup> per bin, located no closer than 2m to any fresh air intake of a habitable room;
  - 58.3 Provision of a constructed bulk bin store with an impervious hardstand base for the permanent storage location and service collection of bulk bins, having minimum dimensions which exceed the combined size of bins by at least 300mm at the rear and both sides and 600mm at the front and no closer than 2m to any fresh air intake of a habitable room;
  - 58.4 Refuse storage facilities must be screened from public vantage points with a minimum 1.5m high built structure, enclosure or solid screen fencing.
  - 58.5 Provision of a grassed or landscaped area within the development site that is at least twice the size of the bin store and adjacent to a tap for the washing of bins.
  - 58.6 Bins must be kept in a clean state and in good repair and fitted with tight-fitting lid assemblies designed to prevent ingress of pests and water.

## WASTE MANAGEMENT (REMOVAL)

59. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:
- 59.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*.
  - 59.2 Collection by a refuse vehicle from within the site only, and not from the kerbside.
  - 59.3 Bins must be located in a manner that allows the refuse vehicle to pick them up automatically without the driver having to relocate them;
  - 59.4 General waste must be collected and removed at periods not exceeding seven days;
  - 59.5 Bins must be stored at their place of permanent storage other than times ahead of or during waste removal;
  - 59.6 Waste removal must not occur outside the hours of 6:00 am to 6:00 pm;
  - 59.7 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

## LANDSCAPING

### LANDSCAPE PLAN

60. Prior to the commencement of any works on site or the issue of a Development Permit for Operational Work or Building Work (whichever occurs first), submit to Council for endorsement a Landscape Plan prepared by a suitably qualified person (Landscape Architect or Landscape Designer). The plan is to be prepared generally in accordance with *Toowoomba Regional Council's Landscape Work Information Sheet 006* and the conditions of this Development Approval, including the landscaping shown on all Approved Plans listed in this Development Approval, that details in particular:
- 60.1 Location and species of existing site vegetation to be removed and/or retained in accordance with this Development Approval, including adjacent street trees to be retained and/or removed;
  - 60.2 A detailed Planting Plan and Schedule including stock sizes, quantities and location that includes species which are characteristic of the local area and climate, and provide seasonal variation, colour and texture;
  - 60.3 The typical planting details including soil preparation, backfill, staking, mulching, irrigation, drainage and maintenance;
  - 60.4 All landscape planting must be contained within the property boundary, unless otherwise agreed with Council;
  - 60.5 Construction details of proposed surfaces, surface level changes and structures must be wholly contained within the property boundary;
  - 60.6 Provision of an irrigation or water source to all planted areas;
  - 60.7 Landscaping to areas indicated as on approved 'Site Setout Plan' to consist of shade trees and low shrubs or groundcovers;

- 60.8 A minimum 5-metre-wide landscaping strip between the workers accommodation and production area as illustrated in site plans, to be planted with screening shrubs and trees at intervals capable of visually screening 60% of the production area within 5 years of planting;
- 60.9 Shade trees are to be provided within the car park at a rate of one tree per eight parking spaces, in accordance with the Planning Scheme
- 60.10 All plan pages must include a legend or title block that includes: north point, scale, title and drawing number; and
- 60.11 Where relevant landscaping associated with a multi-stage development must detail a staging plan of works.

*Note: Fees and charges are associated with lodging Landscape Plan(s) for endorsement and must be paid prior to Council undertaking assessment of the plans.*

- 61. The Landscape Plan(s) must receive endorsement by Council prior to lodgement of any Development Application for a Development Permit for Operational Work or commencement of any site works or earthworks or issue of any Development Permit for Building Work.

#### **LANDSCAPING WORKS**

- 62. Carry out the landscape work in accordance with the above endorsed detailed Landscape Plan.
- 63. All landscape works must be installed and established by a suitably qualified person (Landscape Architect, Horticulturalist or equivalent) that ensures healthy, sustained and vigorous plant growth. Where required, plant material should be replaced or enhanced to ensure growth to full form and coverage of all dedicated landscape areas.
- 64. Landscape planting is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.
- 65. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

#### **B. ADVICES:**

#### **MATERIAL CHANGE OF USE**

#### **SUBMISSION OF PLANS FOR ENDORSEMENT**

- 1) The conditions of this Development Approval require submission of plans to Council for endorsement.  
Please address the plans for endorsement to Council's Planning Branch with the Reference No. MCUI/2025/9628 and send to [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au).

#### **INFRASTRUCTURE CHARGES**

- 2) Infrastructure charges are levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

### **OTHER LAWS & REQUIREMENTS**

- 3) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 4) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au). For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 5) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

### **WHEN APPROVAL STARTS TO HAVE EFFECT**

- 6) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

### **WHEN APPROVAL LAPSES**

- 7) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

### **EXCAVATION & FILLING**

- 8) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

### **WASTEWATER TREATMENT & DISPOSAL SYSTEM**

- 9) The establishment of a wastewater treatment and disposal system for the subject land requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2018*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and the *Australian & New Zealand Standard AS/NZS1547 On-site domestic wastewater management*.

Please contact Council's Plumbing and Drainage team via the Customer Service Centre for further information in respect of a Compliance Permit. Where a development exceeds the accommodation or use of 21 or more equivalent persons an Environmental Authority from the Department of Environment and Science will also be required.

### **ENVIRONMENTAL HARM**

- 10) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

### **ENVIRONMENT PROTECTION & BIODIVERSITY CONSERVATION ACT 1999**

- 11) An additional approval from the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* may be required in relation to the approved development. The EPBC Act relates to actions that may have a significant impact on matters of national environmental significance (NES) or the environment generally if on Commonwealth land. These matters of NES include nationally listed threatened and migratory species, Ramsar wetlands, World Heritage, Commonwealth marine and nuclear actions.

The EPBC Act provides that a person must not take an action that has, will have or is likely to have a significant impact on matters of NES, without the approval of the Commonwealth Environment Minister. Such actions should be referred to the Minister for a decision on whether or not approval is required under the EPBC Act.

Contact the Australian Government Department of Agriculture, Water and the Environment to discuss any obligations under the EPBC Act.

### **ENVIRONMENTALLY RELEVANT ACTIVITIES**

- 12) Should the premises, or any part of the premises, be used for an "Environmentally Relevant Activity" as defined under Schedule 2 the *Environmental Protection Regulation 2019*, separate approval is required by the relevant Administering Authority in accordance with the *Environmental Protection Act 1994* and where applicable the *Planning Act 2016* before such use commences.

### **WATER POLLUTION**

- 13) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

### **FIRE ANTS**

- 14) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

### **SUITABLY QUALIFIED PERSON**

- 15) For the purpose of preparing a Landscape Plan, a suitably qualified person is considered to be a registered landscape architect or landscape designer with a minimum of 5 years current experience in the field of landscape design.

**C. ATTACHMENTS:**

- Concurrence Agency Conditions Schedule 2
- Advice Agency Comments Schedule 3
- Approved Development Plans
- Appeal provisions pursuant to the *Planning Act 2016*.

**SCHEDULE 2**

**CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)**

**DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING**



SARA reference: 2601-50211 SRA  
 Council reference: MCUI/2025/9628  
 Applicant reference: 2025-265

3 February 2026

Chief Executive Officer  
 Toowoomba Regional Council  
 PO Box 3021  
 TOOWOOMBA QLD 4350  
 development@tr.qld.gov.au

Attention: Cassidy Pugh

Dear Ms Pugh

## SARA referral agency response—58 French Road, Pittsworth

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 15 January 2026.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	3 February 2026
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development permit	Material Change of Use – Undefined Use (Non-Resident Workforce Accommodation)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017)	

Development near State transport corridors or future State transport corridors

SARA reference: 2601-50211 SRA

Assessment manager: Toowoomba Regional Council

Street address: 58 French Road, Pittsworth

Real property description: Lot 1 on AG4028

Applicant name: Lionel Moore Trailers Pty Ltd

Applicant contact details: C/- Precinct Urban Planning  
PO Box 3038  
TOOWOOMBA QLD 4350  
andrew@precinctplan.com.au

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

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Geoff Broadbent, Principal Planning Officer, on (07) 4616 7302 or via email ToowoombaSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson  
A/Manager

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations about a referral agency response provisions

cc Lionel Moore Trailers Pty Ltd, andrew@precinctplan.com.au

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application).

No.	Conditions	Condition timing
<b>Material Change of Use – Undefined Use (Non-Resident Workforce Accommodation)</b>		
10.9.4.2.4.1 – Material change of use of premises near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>Stormwater management of the development must not cause worsening to the operating performance of the Gore Highway and South Western Rail Corridor, such that any works on the land must not:</p> <ul style="list-style-type: none"> <li>(a) create any new discharge points for stormwater runoff onto the Gore Highway and South Western Rail Corridor</li> <li>(b) concentrate or increase the velocity of flows to the Gore Highway and South Western Rail Corridor</li> <li>(c) interfere with and/or cause damage to the existing stormwater drainage on the Gore Highway and South Western Rail Corridor</li> <li>(d) surcharge any existing culvert or drain on the Gore Highway and South Western Rail Corridor</li> <li>(e) reduce the quality of stormwater discharge onto the Gore Highway and South Western Rail Corridor</li> <li>(f) impede or interfere with any overland flow or hydraulic conveyance from the Gore Highway and South Western Rail Corridor</li> <li>(g) reduce the floodplain immunity of the Gore Highway and South Western Rail Corridor.</li> </ul>	At all times.

## Attachment 2—Advice to the applicant

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<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.5). If a word remains undefined it has its ordinary meaning.

## Attachment 3—Reasons for referral agency response

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

### The reasons for the SARA's decision are:

- The development complies with the assessment benchmarks of State code 1 of SDAP in that the development:
  - o does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
  - o does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
  - o does not adversely impact the function and efficiency of state-controlled roads or future state-controlled roads
  - o does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
  - o does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure
  
- The development complies with the assessment benchmarks of State code 2 of SDAP in that the development:
  - o does not create a safety hazard for users of a railway
  - o does not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works
  - o does not result in a worsening of the physical condition or operating performance of railways and the rail network
  - o does not compromise the state's ability to construct, or significantly increase the cost to construct railways and future railways
  - o does not compromise the state's ability to maintain and operate, or significantly increase the cost to maintain and operate railways

### Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.5), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

## Attachment 4—Representations about a referral agency response provisions

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

**SCHEDULE 3**

**ADVICE AGENCY (COMMENTS)**

**ERGON ENERGY**



420 Flinders Street, Townsville QLD 4810  
PO Box 1090, Townsville QLD 4810  
[ergon.com.au](http://ergon.com.au)

**RECEIVED**  
15/01/2026  
**TOOWOOMBA**  
**REGIONAL COUNCIL**

15 January 2026

Chief Executive Officer  
Toowoomba Regional Council  
*Attention: Cassidy Pugh*  
*Via email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)*

cc Lionel Moore Trailers Pty Ltd  
C/- Precinct Urban Planning  
*Attention: Susan Woodward*  
*Via email: [susan@precinctplan.com.au](mailto:susan@precinctplan.com.au)*

Dear Sir/Madam,

**Ergon Advice Agency Response**  
**Our Ref: ECM 36916151 - 36912697**

This Referral Agency response is given under section 56 of the *Planning Act 2016*.

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**Response**

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Outcome	Approved in full – No objection
Date of response	15/1/26
Referral assessment capacity	Advice
Matters referral assessment made against (S55(2))	The purpose of the <i>Electricity Act 1994</i> and <i>Electricity Safety Act 2002</i>
Reasons for decision (S56(7)(b))	The works do not conflict with: <ul style="list-style-type: none"><li>▪ the objectives set out within Part 2, Section 3 of the <i>Electricity Act 1994</i></li><li>▪ the purpose of the <i>Electricity Safety Act 2002</i> as set out within Part 1 Division 2 Section 4 &amp; 5.</li></ul>

The works do not adversely impact on the safe, efficient, and economically viable operation of the supply network.

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**Have you seen our fact sheets?**  
See the 'considerations when developing around electricity infrastructure' section of our website  
[www.ergon.com.au/referralagency](http://www.ergon.com.au/referralagency)

<b>Development Details</b>	
Applicant	Precinct Urban Planning
Assessment Manager	Toowoomba Regional Council
Council Application No.	MCUI/2025/9628
Street Address	58 French Road, PITTSWORTH
RPD	Lot 1 AG4028
Development Type	Material Change of Use - Impact - Undefined Use (Non-Resident Workforce Accommodation)
Referral Trigger	<input checked="" type="checkbox"/> Schedule 10, Part 9, Division 2, Table 2, Item 1 (10.9.2.2.1) – Material Change of use of premises within 100m of a substation site or subject to an easement for the benefit of a distribution entity under the Electricity Act and the easement is for a supply network
Impacted Electrical Infrastructure	Easement A on SP305360

Ergon provides the following response to the application in accordance with Section 56(1) of the *Planning Act 2016*:

Component of Development	Advice Agency direction
MCU/ ROL/ OPW	<input checked="" type="checkbox"/> S56(1)(a) – no requirements for the application

Ergon's response has been provided relevant to the following plans and supporting documents. Any alterations to the plans and or document(s) identified below within Table 1 below are to be resubmitted to Ergon for comment.

<b>Table 1</b>			
<b>Plans forming part of this Approval</b>			
<i>Title</i>	<i>Plan No.</i>	<i>Issue</i>	<i>Date</i>
Site Setout Plan	Sheet 1 of 1	-	24-10-2025

General Advice:

- Compliance with the Electrical Safety Act 2002, including any Code of Practice under the Act and the Electrical safety Regulation 2013 including any safety exclusion zones defined in the Regulation is mandatory

Should any doubt exist in maintaining the prescribed clearance to the overhead conductors and electrical infrastructure then the applicant is obliged under the Act to seek advice from Ergon.

**Have you seen our fact sheets?**

See the 'considerations when developing around electricity infrastructure' section of our website [www.ergon.com.au/referralagency](http://www.ergon.com.au/referralagency)

- Any costs incurred by Ergon as a result of the works on the easement are to be met by the property Developer / owner.
- This response does not constitute an approval to commence any works within the easement. Consent to commence works relevant to the conditions of the easement is required. All works on easement (including but not limited to earthworks, drainage and detention basins, road construction, underground and overhead services installation) require detailed submissions, assessment, and consent (or otherwise) by Ergon.
- All works proposed to be undertaken in close proximity to overhead or underground electrical lines are to be undertaken in accordance with Ergon's Works Practice Manual WP1323. This document refers to various standards, guidelines, calculations, legal requirements, technical details, and other information relevant to working near high voltage infrastructure. A copy of WP1323 can be found online via Ergon's document library ([Document library | Ergon](#)).

Should you require any further information on the above matter, please contact the undersigned on 0428 943 997 or via email at [townplanning@ergon.com.au](mailto:townplanning@ergon.com.au).

Yours faithfully,



**Scott Pearson**  
Senior Town Planner

**Have you seen our fact sheets?**

See the 'considerations when developing around electricity infrastructure' section of our website [www.ergon.com.au/referralagency](http://www.ergon.com.au/referralagency)

## Chapter 6, Part 1 of the Planning Act 2016 Appeal rights

### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- either a tribunal or the P&E Court; or
  - only a tribunal; or
  - only the P&E Court; and
- (b) the person—
- who may appeal a matter (the **appellant**); and
  - who is a respondent in an appeal of the matter; and
  - who is a co-respondent in an appeal of the matter; and
  - 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 an appeal relating to the *Plumbing and Drainage Act 2018*—
- for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
  - for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
  - for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
  - otherwise—20 business days after the day the notice is given; or
- (g) 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—
- the establishment cost of trunk infrastructure identified in a LGIP; or
  - 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—
- is in the approved form; and
  - succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
- (a) the respondent for the appeal; and

- (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
- (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
- decision** includes—
- conduct engaged in for the purpose of making a decision; and
  - other conduct that relates to the making of a decision; and
  - the making of a decision or the failure to make a decision; and
  - a purported decision; and
  - a deemed refusal.

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

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

### 232 Rules of the P&E Court

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