



**Quilpie Shire Council**

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ABN 53 680 434 639

Our Reference: 274218 : Dominique Wells

2 April 2026

Martin & Rosina Bony  
307-317 Mona Drive  
**JIMBOOMBA QLD 4280**

[martinbony@bigpond.com](mailto:martinbony@bigpond.com)

Dear Martin

**Referral Agency Response - Approval**  
(Given under section 56 of the Planning Act 2016)

The application described below was properly referred to the Quilpie Shire Council as a referral agency on 27 March 2026.

**Applicant details**

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**Applicant name:** Martin & Rosina Bony  
**Applicant contact details:** 307-317 Mona Drive, Jimboomba Qld 4280  
Email: [martinbony@bigpond.com](mailto:martinbony@bigpond.com)  
Ph: 0428 391 461

**Location details**

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**Street address:** 17 Buln Buln Street, Quilpie  
**Real property description:** Lot 1 on RP177507  
**Local government area** Quilpie Shire Council

**Application details**

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**Referral Trigger:** Schedule 10, Part 8, Division 1 of the *Planning Regulation 2017*  
**Details of proposed development:** Building Work assessable against the Planning Scheme  
**Planning scheme:** *Quilpie Shire Planning Scheme 2018*

## Decision

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I wish to advise that, on 1 April 2026, Council as the referral agency decided to **approved the development in full** subject to conditions. (Refer to the conditions contained in **Attachment 1**)

## Details of the approval

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This application is not taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approvals are given:

	<b>Planning Regulation 2017 reference</b>	<b>Development Permit</b>	<b>Preliminary Approval</b>
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval  - Building work assessable under the planning scheme	N/A	<input checked="" type="checkbox"/>	N/A

## Conditions

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This approval is subject to the conditions in **Attachment 1**.

## Further development permits

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

- Development Permit – Building Work

## Approved plans, specifications and drawings

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Copies of the following approved plans, specifications and/or drawings are enclosed.

<b>Plan/Document Number:</b>	<b>Plan/Document Name:</b>	<b>Date:</b>
Plan 01	Proposed Floor Plan	n.d.
Plan 02	Perspective Views	n.d.

## Advice for Assessment Manager

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The Assessment Manager is required, under Section 62 of Planning Act 2016, to include the Referral Agency response issued by Council (including the attached conditions), which must be attached to the approval.

The Assessment Manager is required, under Section 63 of the Planning Act 2016, to provide a copy of the approval granted for the development, to Council as a Referral Agency for the application, within 5 business days after the decision is made.

## Appeal Rights

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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*.

**Attachment 3** is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights.

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>.

Please do not hesitate to contact Dominique Wells on (07) 4656 0500 should you wish to discuss this matter further.

Yours faithfully

Justin Hancock  
**CHIEF EXECUTIVE OFFICER**

Enc:

*Attachment 1 – Concurrence Agency Conditions of Approval (Quilpie Shire Council)*  
*Attachment 2 - Appeal Provisions*  
*Attachment 3 - Statement of Reasons*



## ATTACHMENT 1 –CONCURRENCE AGENCY CONDITIONS OF APPROVAL (QUILPIE SHIRE COUNCIL)

### Conditions

1. The approved development is a Building Work Assessable Against the Planning Scheme for a Dwelling House as shown on the approved plans.
2. All works are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Manager's conditions, the Assessment Manager's conditions prevail.

Plan/Document Number:	Plan/Document Name:	Date:
Plan 01	Proposed Floor Plan	n.d.
Plan 02	Perspective Views	n.d.

3. Detailed Floor Plans and Elevations, including colours and external treatments, must be provided to Council for endorsement, prior to the issue of a Building Approval.
4. A Form 21 – Final Certificate shall not be issued until all works associated with the related Reconfiguring a Lot Development Approval have been completed and separate titles issued.

### Heritage Protection

5. External building treatments and finishes of the Church and Hall buildings must complement the existing heritage character of the Church.
6. Internal building works must be designed in keeping with architectural details and decorative finishes of the existing Local Heritage Place.
7. An archival quality photographic documentary of the Church building be compiled and submitted to Council prior to commencement of works on site which documents the features of the Church.

### Access and Services

8. The landowner is responsible for maintaining vehicle access to the site from Quarrion Street to the property boundary. Should any damage be caused to Quarrion Street, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
9. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).



## ATTACHMENT 2 – PLANNING ACT EXTRACT 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
  - (d) schedule 1, table 1, item 1—each principal submitter for
  - (e) the development application; and
  - (f) for an appeal about a change application under
  - (g) schedule 1, table 1, item 2—each principal submitter for
  - (h) the change application; and
  - (i) each person who may elect to become a co-respondent
  - (j) for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  - (k) for an appeal to the P&E Court—the chief executive; and
  - (l) 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**

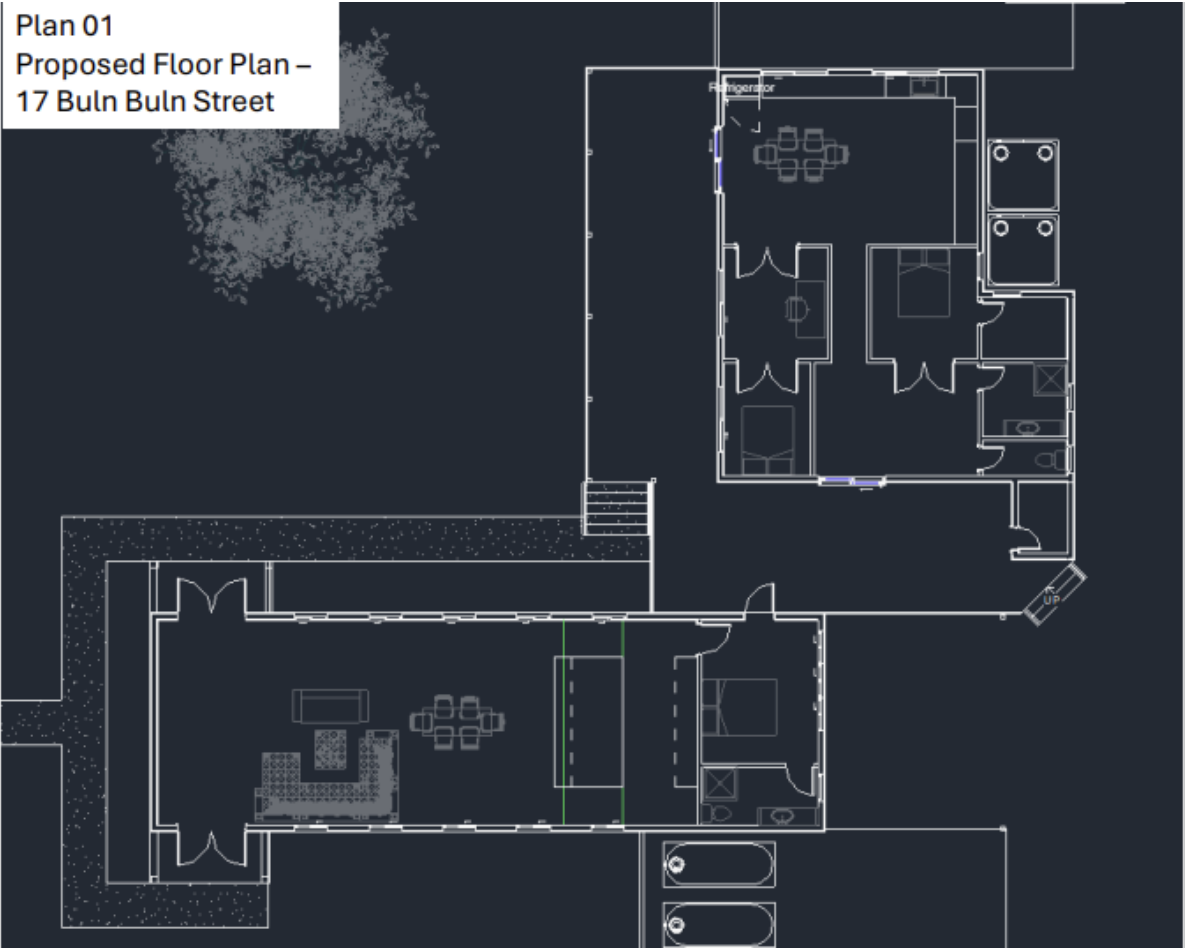
- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

### ATTACHMENT 3 – STATEMENT OF REASONS

The following information is provided in accordance with section 63 of the *Planning Act 2016*.

<b>Description of Development</b>	Building Works Assessable Against the Planning Scheme
<b>Assessment benchmarks</b>	The application was assessed under the below benchmarks: <ul style="list-style-type: none"> <li>• <i>Quilpie Shire Planning Scheme – General Development Code</i></li> </ul>
<b>Relevant matters</b>	There are no relevant matters for a code assessable application.
<b>Matters raised in submissions</b>	The application did not require public notification.
<b>Reasons for decision</b>	The proposed location of the carport is considered to achieve an acceptable streetscape as: <ul style="list-style-type: none"> <li>• The proposed development is considered to retain the fabric and features of the local heritage place.</li> <li>• No external works, other than painting, are proposed on the church building.</li> <li>• The proposal is the adaptive reuse of a heritage place and is not considered to be incompatible with the significance of the place.</li> <li>• No demolition of areas of significance are proposed.</li> <li>• The proposed works are generally consistent with the Developing Heritage Places guideline and conditions have been applied where relevant.</li> </ul>

**ATTACHMENT 4 – APPROVED PLANS AND SPECIFICATIONS**



Plan 02  
Perspective Views – 17 Buln Buln Street

