

26 May 2026

Enquiries: Jenny Elphinstone
Our Ref: CA 2025_5786/1 (Doc ID1368126)
Your Ref: WP24 006WIL

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

GDUB Holdings Pty Ltd (Tte)
C/- wildPLAN Pty Ltd
PO Box 8028
CAIRNS QLD 4870

Email: matthew@wildplan.com.au

Attention Mr Matthew Ward

Dear Sir

**Development Application for Combined Application for a Material Change of use for a Staged Development for Service Station, Shop, Food and Drink Outlet, Dwelling-House and Nature Based Tourism and Operational Work for Advertising Devices
At Cape Tribulation Road Cape Tribulation
On Land Described as Lot 7 on RP733181**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: CA 2025_5786/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully



For
Leonard Vogel
Manager Environment & Planning

encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: GDUB Holdings Pty Ltd (Tte)
Postal Address: C/- wildPLAN Pty Ltd
PO Box 8028
CAIRNS QLD 4870
Email: info@wildplan.com.au

Property Details

Street Address: Cape Tribulation Road, Cape Tribulation
Real Property Description: Lot 7 on RP733181
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for a Combined Application for a Stage Approval for:

- Stage 1 Material Change of Use for Service station, Shop and Food and drink outlet (Impact) and the Operational Work for two advertising devices;
- Stage 2 Material Change of Use for a Dwelling-house (Code); and
- Stage 3 Material Change of Use for Nature Based Tourism for forest stay comprising two accommodation units (Impact).

Decision

Date of Decision: 26 May 2026
Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s) (As noted - to be amended prior to approval)

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

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
Cover Page	Clarke and Prince Architects, Drawing 1661-DA A000, Issue P8, dated 28 August 2025 and as amended by Condition 9.	To be determined

Drawing or Document	Reference	Date
Demolition Plan	Clarke and Prince Architects, Drawing 1661-DA A103.1, Issue P4	28 August 2025
Proposed Site Plan	Clarke and Prince Architects, Drawing 1661-DA A103.2, Issue P10, dated 28 August 2025 and as marked up by wildPLAN Pty Ltd on 21 April 2026 (Council Doc ID 1363093) and as amended by Condition 9.	To be determined
Staging Plan	Clarke and Prince Architects, Drawing 1661-DA A104, Issue P9	28 August 2025
Proposed Floor Plan – Commercial	Clarke and Prince Architects, Drawing 1661-DA A105, Issue P10, dated 28 August 2025 and as amended by Condition 9.	To be determined
Proposed Floor Plan - Accommodation	Clarke and Prince Architects, Drawing 1661-DA A108, Issue P8	28 August 2025
Elevations – Commercial	Clarke and Prince Architects, Drawing 1661-DA A107, Issue P8, dated 28 August 2025 and Drawing 1661-DA107.2 Revision P7 dated 28 August 2025 and as amended by Condition 9.	To be determined
Elevations - Residential	Clarke and Prince Architects, Drawing 1661-DA A108, Issue P7	28 August 2025
Proposed Site Section	Clarke and Prince Architects, Drawing 1661-DA A109, Issue P8, dated 28 August 2025 and as amended by Condition 9.	To be determined
Trees within proposed development	GAP Tree Change Pty Ltd, Figure 1, Drawing CRS:GDA2020 EFSG:7844	20 March 2025
Sight Lines	NJM Engineering Consulting Drawing 25-001-01, Revision A	3 April 2025
External Works	NJM Engineering Consulting Drawing 25-001-05, Revision A	3 April 2025
FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access		
Rural Allotment Access	Standard Drawing S1105 Issue E	26 November 2014

Note – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

Assessment Manager Conditions & Advices

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Staging

3. The development may be staged as follows:

- Stage 1 Service station, Shop and Food and drink outlet (Impact) including the two advertising devices;
- Stage 2 Dwelling-house (Code); and
- Stage 3 Nature Based Tourism for forest stay comprising two accommodation units (Impact).

All necessary infrastructure and ancillary structures for the development including the carparks, vehicle access, onsite wastewater, water connection and landscaping must be provided for each stage.

Land Use – Service Station

4. No vehicle repair, vehicle wash down or vehicle maintenance can occur on the land, other than vehicle tyre inflation.

Land Use - Accommodation

5. The use of the accommodation for the Nature-based tourism is to be a maximum of fourteen (14) consecutive nights unless otherwise approved by the Chief Executive Officer.

No long-term or permanent accommodation is to be provided in the Nature-based Tourism units.

Availability of Onsite Management

6. An on-site manager or their representative / employee must be available at all times for persons while they are accommodated on the land.

Hours of Use

7. Hours of use for the Service Station, Food and Drink Outlet and Shop are limited to not before 8:00 am or after 6:00 pm Monday to Sunday, unless otherwise authorised by the Chief Executive Officer.

8. Pylon Sign Located on Adjacent Road

No third-party advertising content is permitted on the pylon sign to be located on the road. Advertising signs content is to be of colours that are subdued, reflecting the natural character and amenity of the area (colours include the content of the advertising device). Note – Signage consisting of representative symbols, as an alternative to text may be considered to be an example of advertising devices that are in keeping with the character of the area. Any change to the advertising content of the advertising device to be located on the road must be approved by the Chief Executive Officer prior to being erected.

Amended Plans

9. An amended plan must be provided, generally in accordance with the Clarke and Prince Architects, drawings:

- a. Proposed Site Section, Drawing 1661-DA A109, Revision P7 dated 12 June 2026 is amended to:
 - i. Reduce the advertising device that is to be located on the adjacent road to a total height to a maximum of 2m (and the signage panel to have a maximum height of 1.5m) and a maximum width of 1.5m. The sign is to be non-animated, non-digital and located appropriately as close as possible to the land in keeping with the natural environment and local scale of development in the area; and
 - ii. Detail the sign content; and

- iii. Location of the water tanks for Stages 1 and 3 of the development; and
- b. Proposed Site Section, Drawing 1661-DA A109, Revision P7 dated 12 June 2026 is amended to extend the canopy for the petrol filling area over the whole of the vehicle refuelling area, the tank and bunded area.

The amended proposal plan must be provided to the satisfaction of the Chief Executive Officer prior to the Commencement of Use.

General External Works

10. Undertake the following external works:

- a. Provide vehicle crossovers from the property boundary to the constructed sealed road pavement in Cape Tribulation Road generally in accordance with the FNQROC Regional Development Manual standard drawing S1105 and the Engineering design drawings prepared by NJM Engineering Consulting:
 - i. Sight Lines Drawing 25-001-01 Revision A, dated 3 April 2025; and
 - ii. External Works Drawing 25-001-05 Revision A, dated 3 April 2025.

The vehicle crossover design must be based on good engineering design and principles.

The crossover is to be provided to the satisfaction of the Chief Executive Officer prior to the Commencement of Use.

- b. The crossover is to be maintained by the applicant for the life of the approved use.

Carparking

11. Car parking must be provided generally in accordance with the staging of the development as follows:

Stage 1 (Service Station, Shop and Food and Drink Outlet):

One (1) large vehicle space and eight (8) car parking spaces (including one (1) Person with disability space);

Stage 2 (Dwelling House):

Two (2) car parking spaces, that may be in tandem.

Stage 3 (Nature-based Tourism):

One (1) car parking space per cabin (Two (2) car spaces in total);

Vehicle parking for the development must be provided generally in accordance with Approved Drawing 1661-DA-A105 and must comply with the Australian Standard AS2890 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design.

Parking areas and vehicle manoeuvring areas for the Service Station, Shop and Food and Drink Outlet must be imperviously sealed, drained and line marked.

The access driveway serving the Dwelling-house and the Nature Based Tourism cabins, beyond the access and turning area for the refuse area, can be provided with a gravel finish.

Parking areas for the Dwelling House and the Nature Based Tourism can be provided with a gravel finish, where otherwise compliant with Australian Standard AS2890 Parking Facilities.

The onsite parking must be provided prior to the commencement of use, relevant to each stage as detailed above, and must be maintained thereafter to the satisfaction of the Chief Executive Officer.

On-Site Effluent Disposal

12. The wastewater produced by the development must be treated on the site. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing & Wastewater Code. Details of the wastewater treatment system to be installed must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Water Supply

13. The development must be provided with an adequate water supply and storage for both potable water and for firefighting purposes to meet the needs of the on site usage.

The potable water supply must satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

Water Tanks.

14. All water tanks at the site must be fitted with:
 - a. Mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than one (1) mm aperture mesh of substantial construction and installed in such manner as not cause or accelerate corrosion; or
 - b. Flap valve at every opening of the tank or other receptacle; or
 - c. Other approved means for preventing the ingress or egress of mosquitoes; and
 - d. Where a tank or other receptacle is provided with a manhole, the manhole must have a diameter of no more than 40 cm; and
 - e. The water tank(s) shall be fitted with a 50 mm ball valve with a camlock fitting.

Sediment and Erosion Control

15. A sediment and erosion control plan must be submitted prior to the commencement of any stripping or excavation work.

The plan must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the FNQROC Development Manual).

The sediment and erosion control plan must detail the various stages of revegetation for the development and the measures to be installed for each stage.

The sediment and erosion control plan must be provided to the satisfaction of the Chief Executive Officer prior to the issue of a Development Permit for Building Work for each respective stage.

Lawful Point of Discharge

16. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Landscaping Plan

17. Submit a Landscape Plan detailing landscaping for:

Stage 1:

- a. The side setback to the southern boundary adjacent to the new car parking area,

- b. The front setback to Cape Tribulation Road, including the areas of driveway access and vehicle crossover areas;
- c. Adjacent to and around the advertising device to be located on the adjoining road; and
- d. The onsite waste treatment disposal area(s) associated with Stage 1.

Stages 2 and 3:

- a. The onsite waste treatment disposal area(s) associated with Stages and/or 3.

The landscape plan must detail:

- i. Hardy species that have regard to Council's Planning Scheme Policy No.7 Landscaping;
- ii. For the onsite effluent disposal areas the selected species must also have regard to requirements for the approved onsite wastewater treatment system; and
- iii. The height and finish details of any necessary retaining walls associated with the onsite effluent disposal areas.

The landscape plan does not need to be professionally drawn but does need to be of a standard which clearly illustrates those areas to be planted. The approval of the landscaping plan and completion of all works must be undertaken in accordance with the endorsed plan prior to Commencement of Use.

The land is to be maintained free of declared pest plants. Declared pest plants include locally declared and State declared pest plants.

Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Damage to Council Infrastructure

- 18. In the event that any part of Council's existing sewer / water or road infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of Use.

External Lighting

- 19. All outdoor lighting must be designed, installed, operated and maintained to comply with the requirements of the Australian Standard AS4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.

Fuel storage

- 20. All fuels must be stored in an undercover and secure location at all times.

Generators

- 21. All power generation devices are to be positioned and housed (including noise attenuation material) so as to mitigate noise nuisance to adjoining and nearby residents.

Emergency Management Plan

- 22. The applicant must prepare and submit an Emergency Management Plan on how safety will be provided to attendees at the site. The Plan needs to include consideration of evacuation plans for emergencies (in particular for cyclones, storms and bushfire).

The Emergency Management Plan is to include a map of the site and the Emergency Muster Point.

The Emergency Management Plan must be submitted to the satisfaction of the Chief Executive Officer prior to Commencement of Use and a copy is to be provided to all local emergency services.

Contaminants

23. All reasonable and practicable measures must be taken to prevent pollution to the existing open drains, waterways or drainage lines, as a result of silt and sediment run-off from the storage of raw materials, oil and grease spills from any machinery, vehicle or fuel storage or bowser. Wastewater for cleaning equipment or vehicles must not be discharged or in-directly released to any watercourses or stormwater systems.

Off-Site Impacts

24. Noise, odours or airborne particulates must not cause environmental nuisance to any sensitive receptor. In accordance with the Environmental Protection Act 1994, any emission of noise and dust from activities on site must ensure that the emissions are consistent with the Environmental Protection (Noise) Policy 2008 and the Environmental Protection (Air) Policy 2008.

The applicant is responsible for protecting nearby property owners from dust, noise and odour emissions arising from any activities and must comply with any lawful instruction from the Council if in the Chief Executive Officer's opinion a dust, noise or odour nuisance exists.

Roofed Rubbish Bin Area

25. Provide a roofed and bunded refuse bin area and fitted with a bucket trap that connects to the onsite wastewater treatment.

Vegetation Clearing

26. Existing remnant vegetation on the land must be retained in all areas except those affected by the construction of buildings, access driveways, and/or the installation of services as detailed on the approved plans. Any further clearing requires assessment against the Planning Scheme.

Wildlife

27. Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Services must be contacted for advice. Important habitat trees should be retained wherever possible.

Fencing

28. Fencing on the site must not impede the movement of fauna through the site.

Stockpiling and Transportation of Material

29. Bulk materials, such as mulch, transported to the site are not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works. Stockpiled materials must be bunded and covered to prevent loss of stockpile material.

ADVICES

1. For the commencement of use. this approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the *Planning Act 2016*.
2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.

3. The fuel storage and outlet must fully comply with the *Work Health and Safety Regulation 2011* which requires full compliance with Australian Standard AS1940:2017. Note - Standards Australia advise that the standard provides requirements for the planning, design, construction, and safe operation of all installations in which flammable or combustible liquids are stored or handled. In separate sections it deals with minor storage, package storage and handling, storage in tanks, fuel dispensing, piping and tank auxiliaries, operations and fire protection facilities.
4. In respect to Condition 12, the submitted Wastewater Treatments designs by ICE International and Soiltest.biz, (Council Doc ID 1364642) are considered generally appropriate in respect to secondary systems. It is noted that advanced secondary systems Chief executive approval no longer applies. The particular type of system installed must meet the Queensland Plumbing & Wastewater Code at the time of approval. Council recommends the proposed system be discussed with Council's Plumbing Inspector prior to lodgement for a Plumbing approval.
5. In respect to Condition 13, the submitted designs by ICE International and Soiltest.biz, that nominate proposed potable water requirements (Council Doc ID 1364642) are considered satisfactory to the extent of nominating the extent of potable water storage required. The maintenance of a sufficient supply is the responsibility of the site operators as per Condition 13. In respect to an adequate water supply for firefighting purposes this is set by the Building Code. The requirement for a camlock fitting to water tanks is to assist with connections for any local firefighting service.
6. All site managers must take all action necessary to ensure materials and/or machinery and equipment on the site are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of work.
7. For information relating to the *Planning Act 2016*, log on to www.dsd.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

Persons who made a properly made submission

Joachim and Lilian Matulich	94 Nicole Drive	Cape Tribulation QLD 4873
Brad Fisher & Clare Pelham	19 Zena Close	Cape Tribulation QLD 4873
Lucie and Alex Foel	9 Zena Close	Cape Tribulation QLD 4873
Anne and Rod Colquhoun	77 Nicole Drive	Cape Tribulation QLD 4873
Mike Keen and Jodie Hunter	13 Zena Close	Cape Tribulation QLD 4873
Dr Hugh Spencer	3915 Cape Tribulation Rd	Cape Tribulation QLD 4873

Further Development Permits

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

- All Building Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

Currency Period for the Approval

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions is attached.

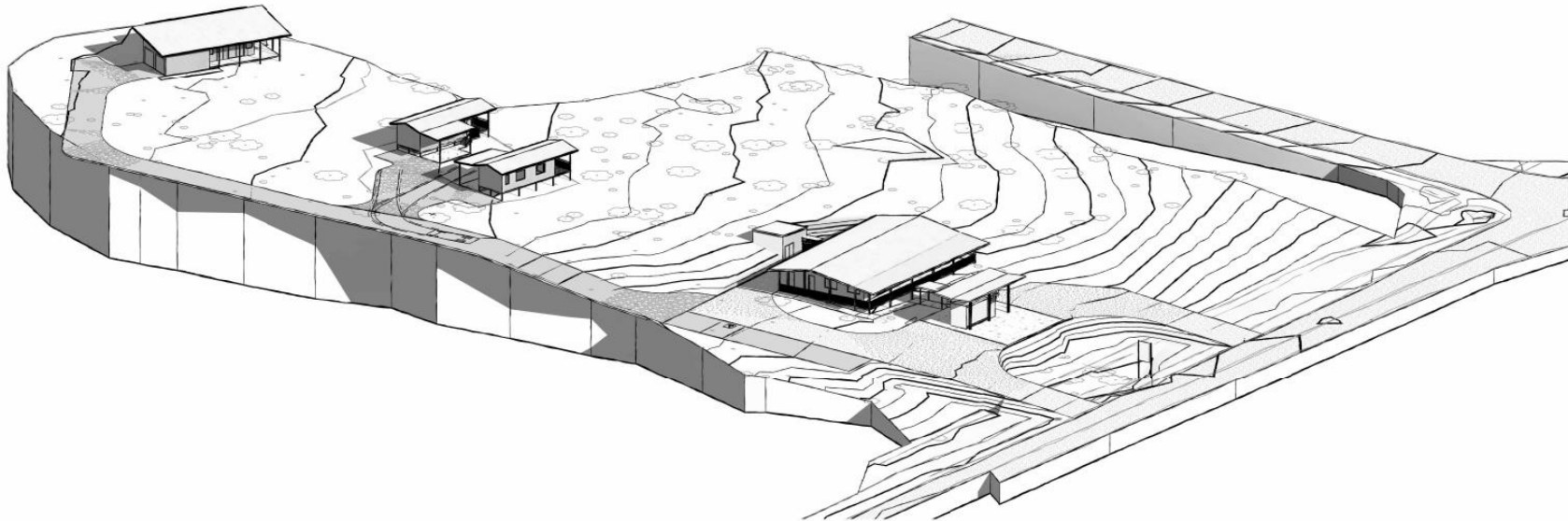
Approved Drawing(s) and/or Document(s)

PROPOSED MIXED-USE DEVELOPMENT

LOT 7, CAMELOT CLOSE, CAPE TRIBULATION

DRAWING LIST

1661-DA-A000	COVER PAGE
1661-DA-A101	SITE ANALYSIS
1661-DA-A102	RELATIONSHIP DIAGRAMS
1661-DA-A103.1	DEMOLITION PLAN
1661-DA-A103.2	PROPOSED SITE PLAN
1661-DA-A104	STAGING PLAN
1661-DA-A105	PROPOSED FLOOR PLAN - COMMERCIAL
1661-DA-A106	PROPOSED FLOOR PLAN - ACCOMMODATION
1661-DA-A107	ELEVATION - COMMERCIAL
1661-DA-A107.2	ELEVATION - COMMERCIAL
1661-DA-A108	ELEVATION - RESIDENTIAL
1661-DA-A109	PROPOSED SITE SECTION



AMENDMENTS	DATE	DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY. DIMENSIONS SHOWN ARE NOMINAL. ALLOWANCE TO BE MADE FOR FINISHED SIZES. VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO COMMENCING WORK. THIS DOCUMENT IS AND SHALL REMAIN THE PROPERTY OF CLARKE AND PRINCE PTY LTD. UNAUTHORISED USE OF THIS DOCUMENT IN ANY WAY IS PROHIBITED.
P5 DA ISSUE	07/05/25	
P6 REVISED DA ISSUE	13/05/25	
P7 REVISED DA ISSUE	04/06/25	
P8 REVISED DA ISSUE	11/06/25	
P9 UPDATED ISSUE	28/08/25	



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 e. cp@clarkeandprince.com.au
 www.clarkeandprince.com.au

DRAWN	HBU	SCALE	SIZE	A3
APPROVED	SC	DATE	08/15/24	

PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION MR. GRAHAM WILLIAMS		
FOR			
DWG	COVER PAGE		
DWG No.	1661-DA A000	STAMP	PRELIMINARY
ISSUE	P9		

CAMELOT CLOSE

LEGEND:

CUT - APPROX.
 STAGE 1: 1031m³
 STAGE 2: 195m³
 STAGE 3: 195m³

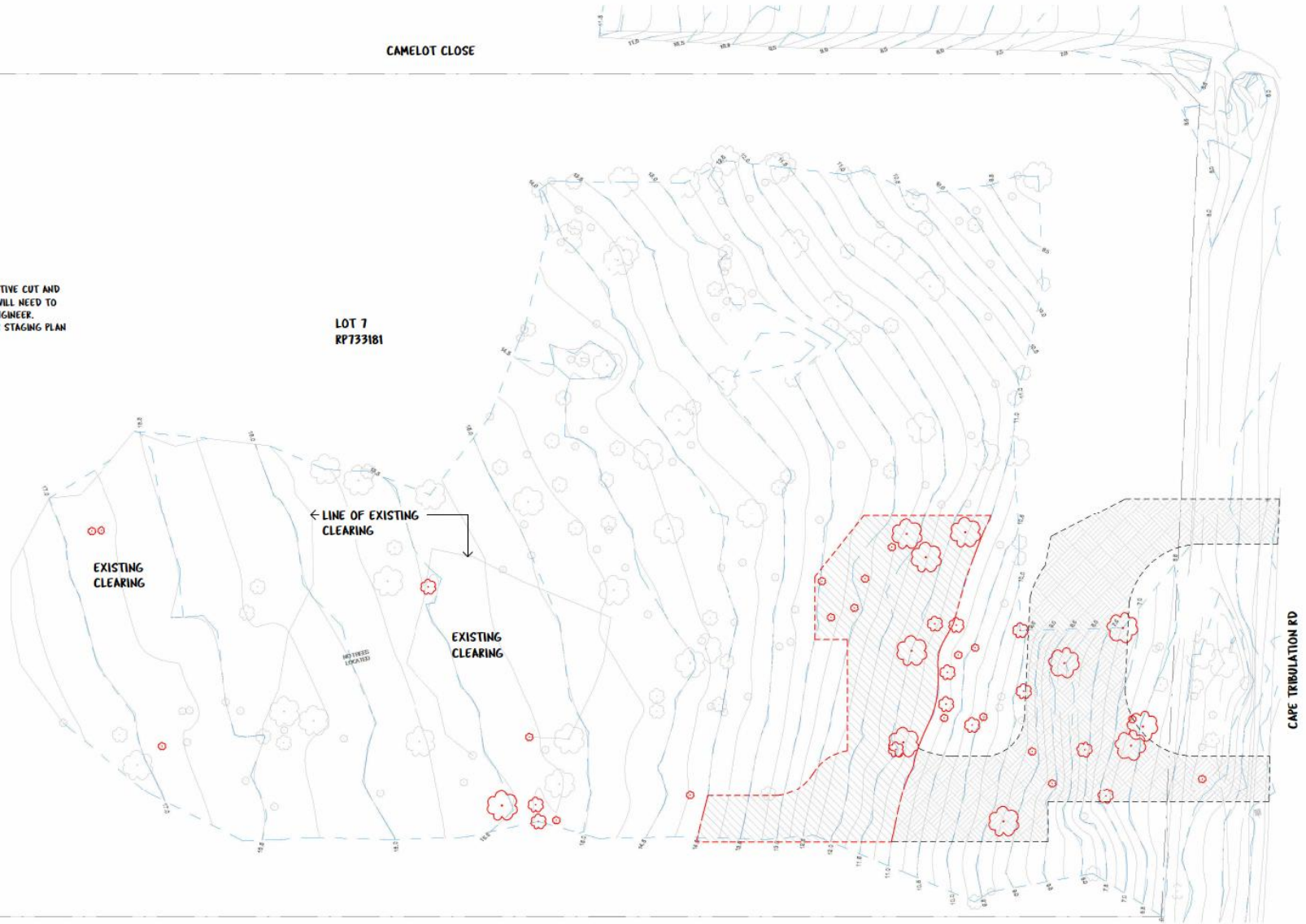
FILL - APPROX.
 STAGE 1: 1131m³
 STAGE 2: 295m³
 STAGE 3: 295m³

TREES TO BE REMOVED

NOTE:

1. DRAWING ONLY SHOW INDICATIVE CUT AND FILL. THE ACTUAL AMOUNT WILL NEED TO BE DETERMINED WITH CIVIL ENGINEER.
2. REFER TO DRAWING A104 FOR STAGING PLAN

LOT 7
 RP733181



AMENDMENTS	DATE
P1 REVISED DA ISSUE	04/06/25
P2 REVISED DA ISSUE	11/06/25
P3 REVISED DA ISSUE	12/06/25
P4 UPDATED ISSUE	28/08/25

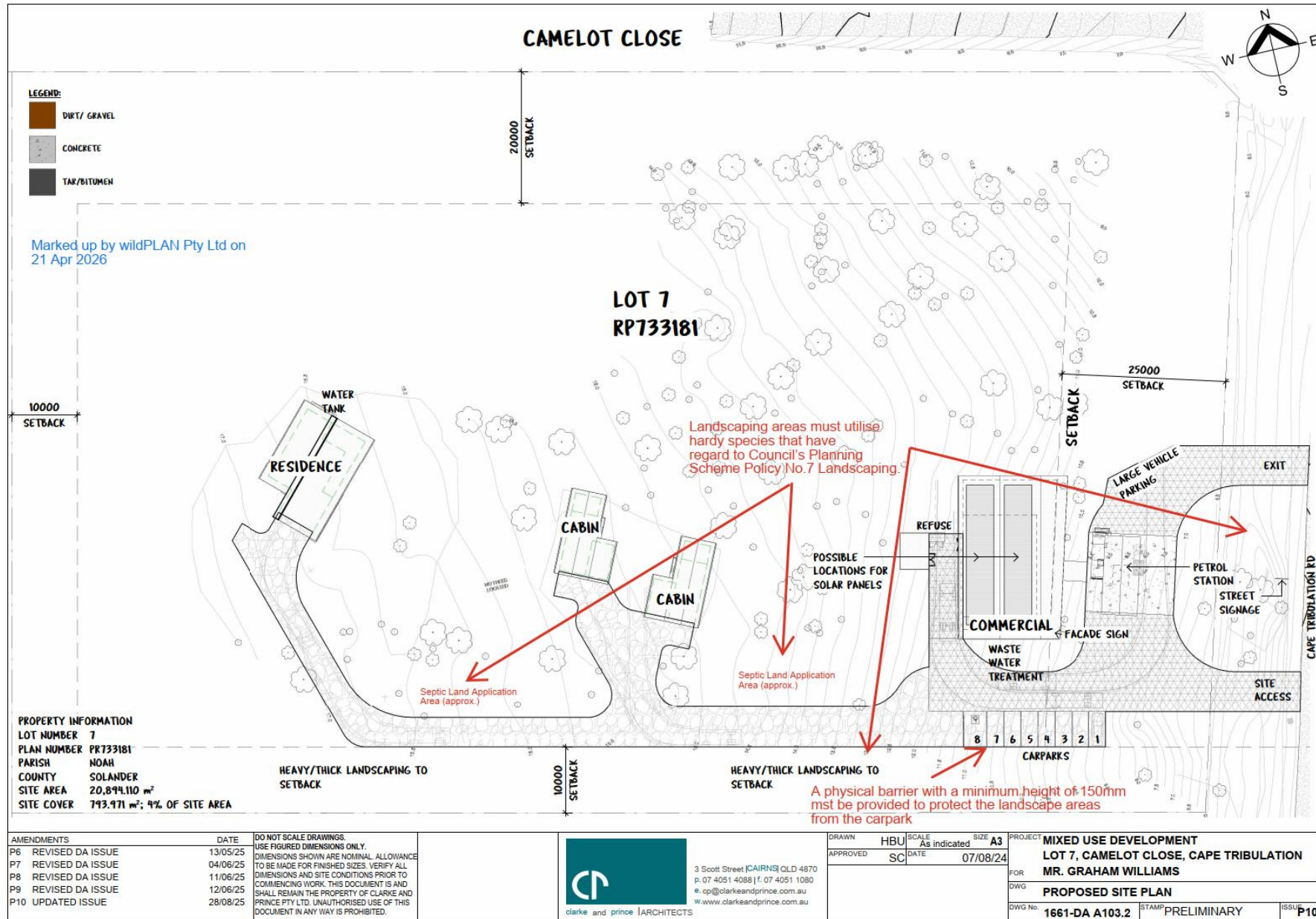
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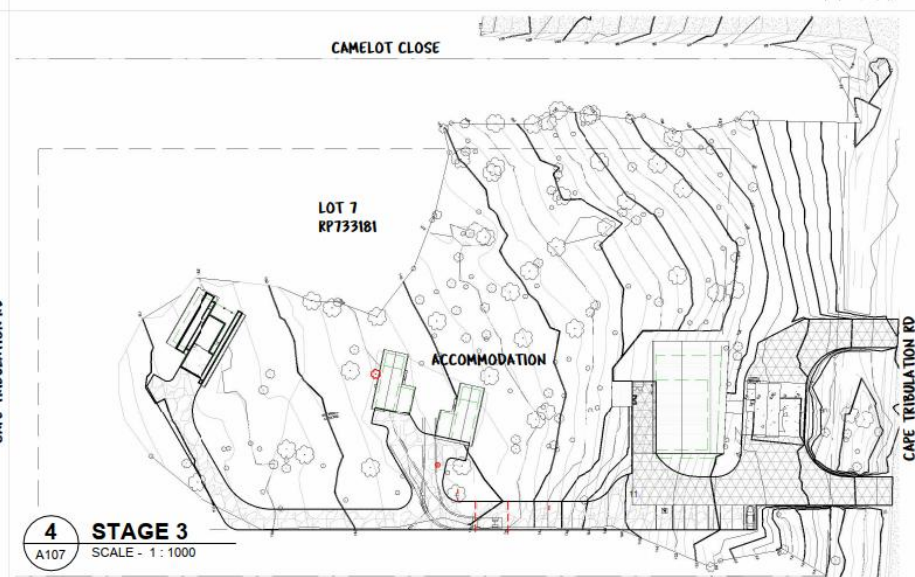
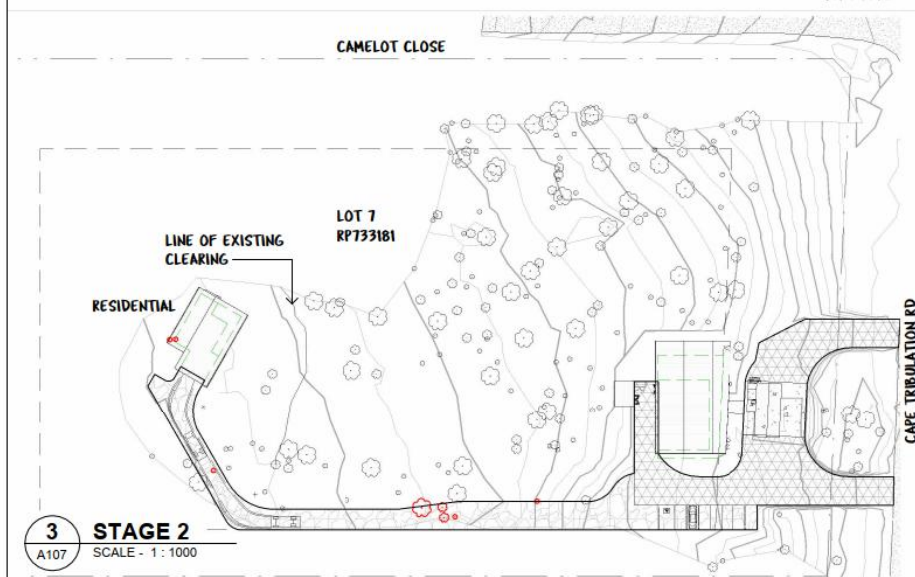
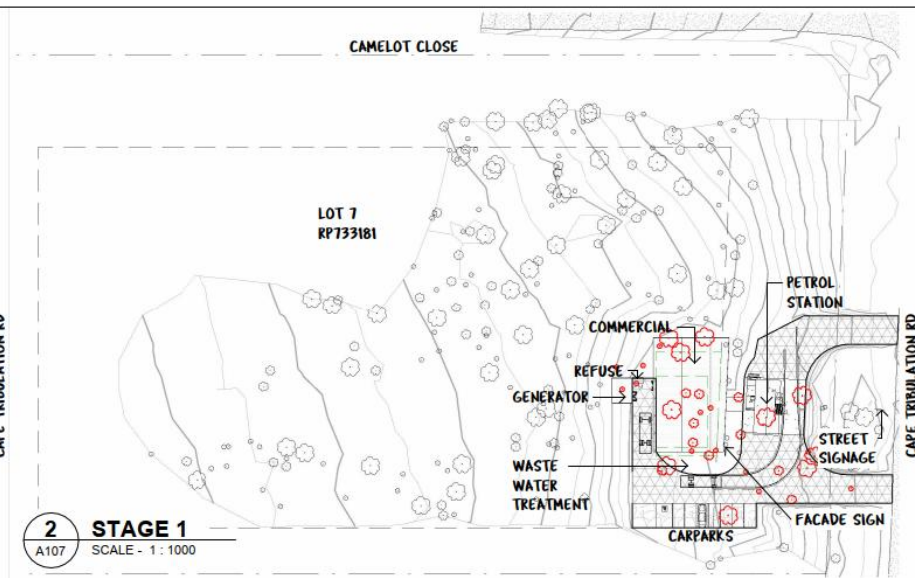
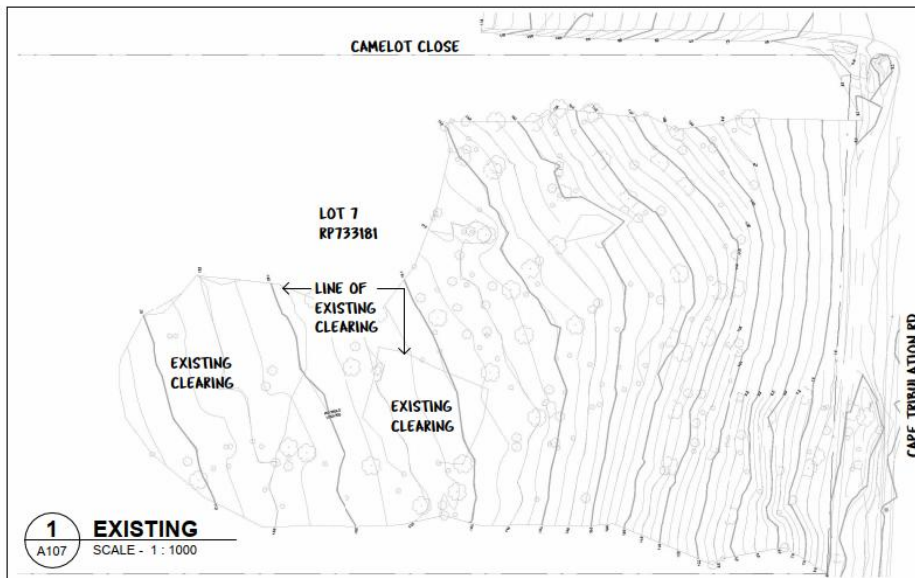


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DRAWN	HBUS	SCALE	As indicated	SIZE	A3
APPROVED	SC	DATE	06/03/25		

PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION MR. GRAHAM WILLIAMS
FOR	
DWG	DEMOLITION PLAN
DWG No.	1661-DA A103.1
STAMP	PRELIMINARY
ISSUE	P4



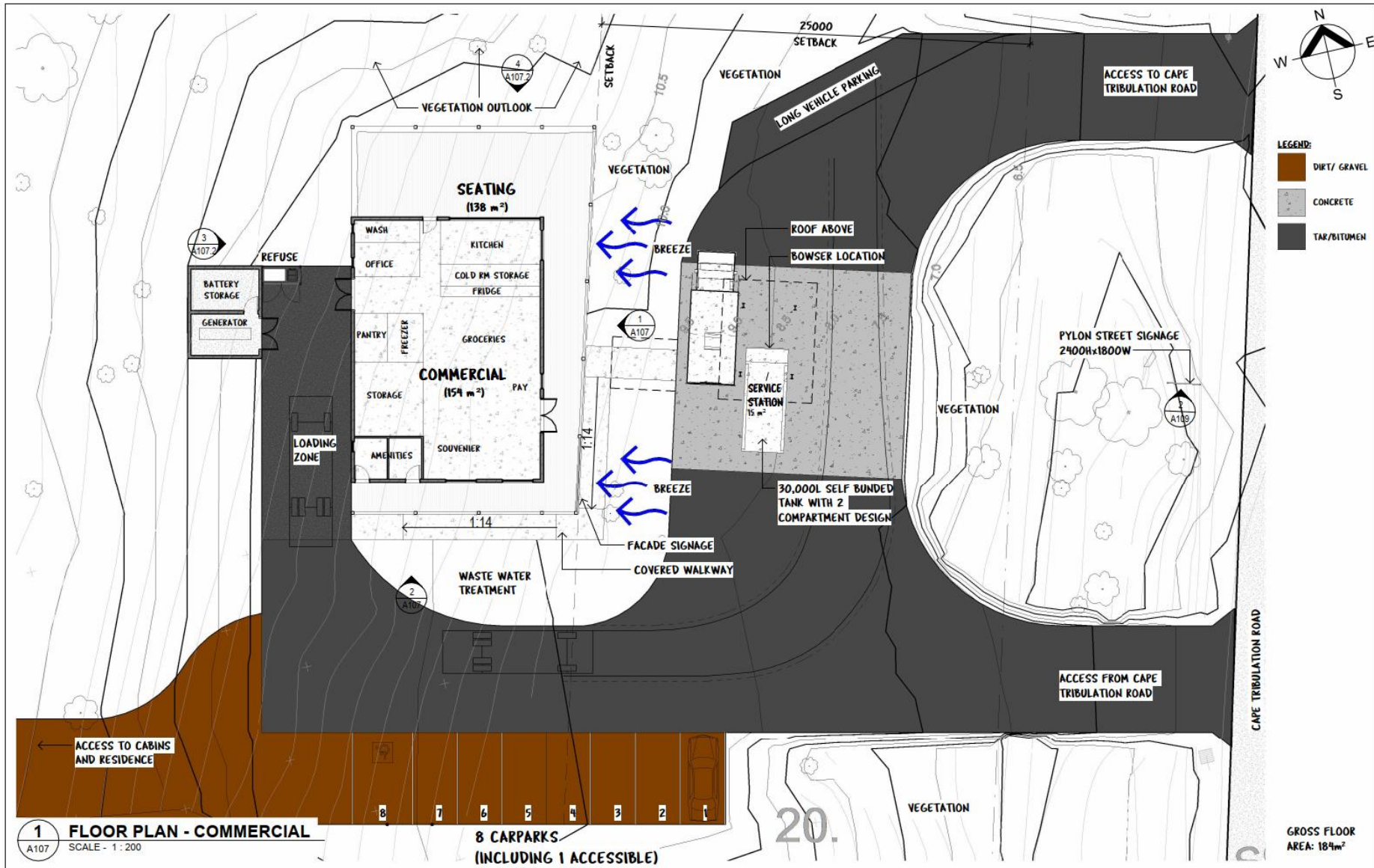


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P5 REVISED DA ISSUE	13/05/25	
P6 REVISED DA ISSUE	04/06/25	
P7 REVISED DA ISSUE	11/06/25	
P8 REVISED DA ISSUE	12/06/25	
P9 UPDATED ISSUE	28/08/25	



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DRAWN	HBU	SCALE	1 : 1000	SIZE	A3	PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION
APPROVED	SC	DATE	08/15/24			FOR	MR. GRAHAM WILLIAMS
						DWG	STAGING PLAN
						DWG No.	1661-DA A104
						STAMP	PRELIMINARY
						ISSUE	P9

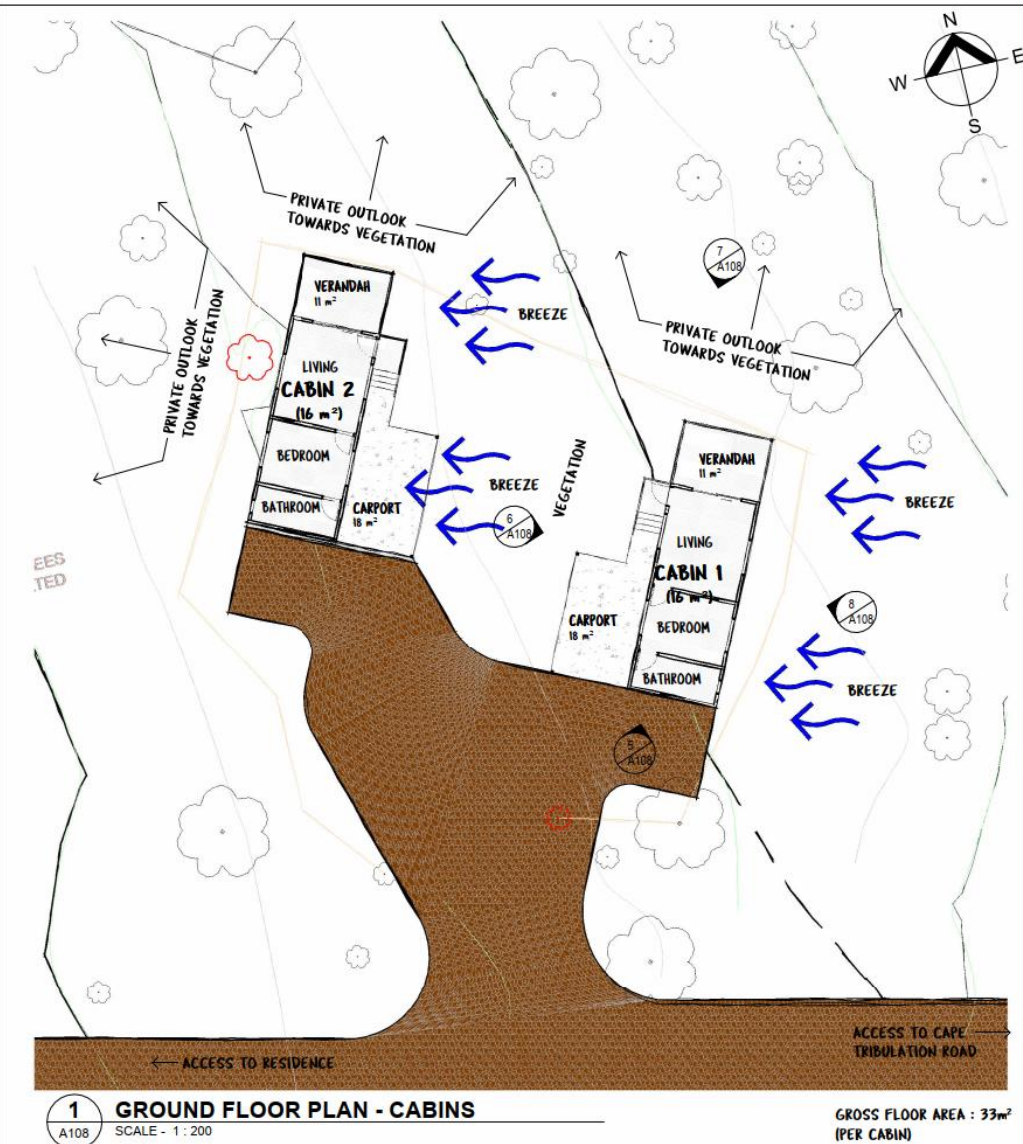
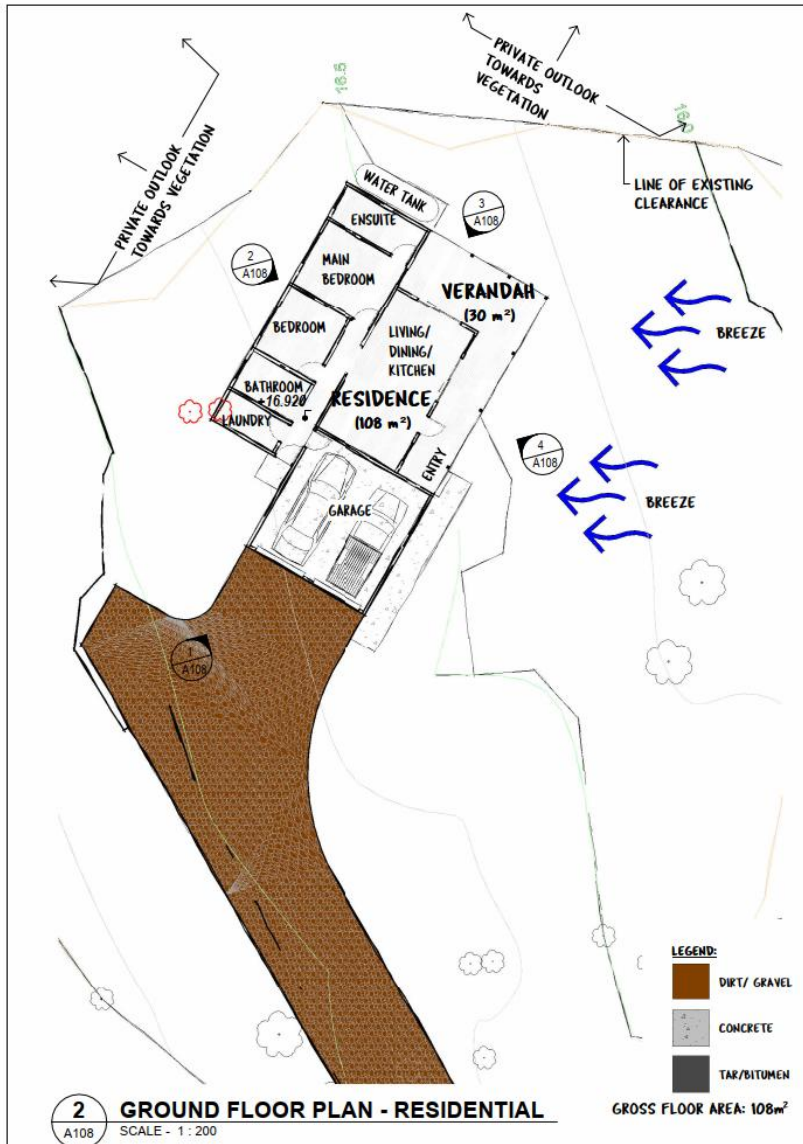


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clarke and prince ARCHITECTS

DRAWN	HBU	SCALE	As indicated	SIZE	A3
APPROVED	SC	DATE	07/08/24	PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION MR. GRAHAM WILLIAMS
				FOR	PROPOSED FLOOR PLAN - COMMERCIAL
				DWG No.	1661-DA A105
				STAMP	PRELIMINARY
				ISSUE	P10



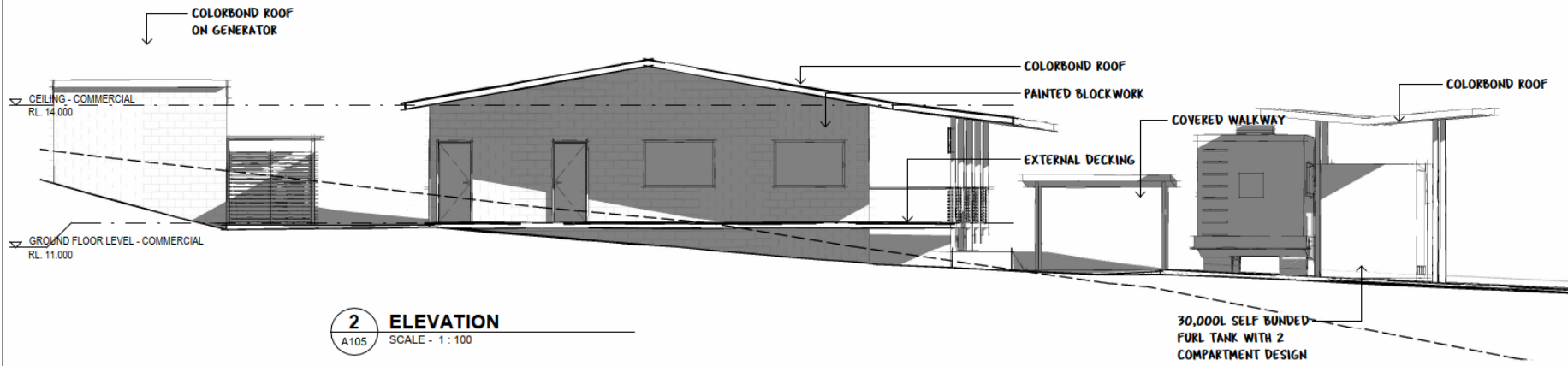
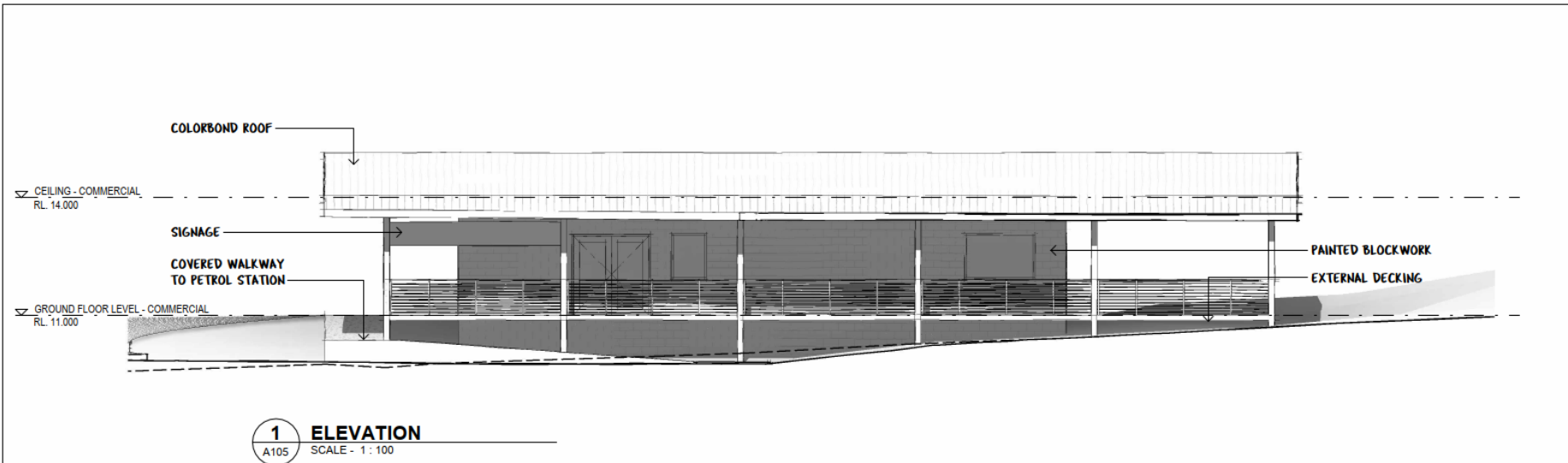
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DRAWN	HBU	SCALE	As indicated	SIZE	A3
APPROVED	SC	DATE	08/07/24		

PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION MR. GRAHAM WILLIAMS
FOR	
DWG	PROPOSED FLOOR PLAN - ACCOMMODATION
DWG No.	1661-DA A106
STAMP	PRELIMINARY
ISSUE	P8



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P8 UPDATED ISSUE	28/08/25	

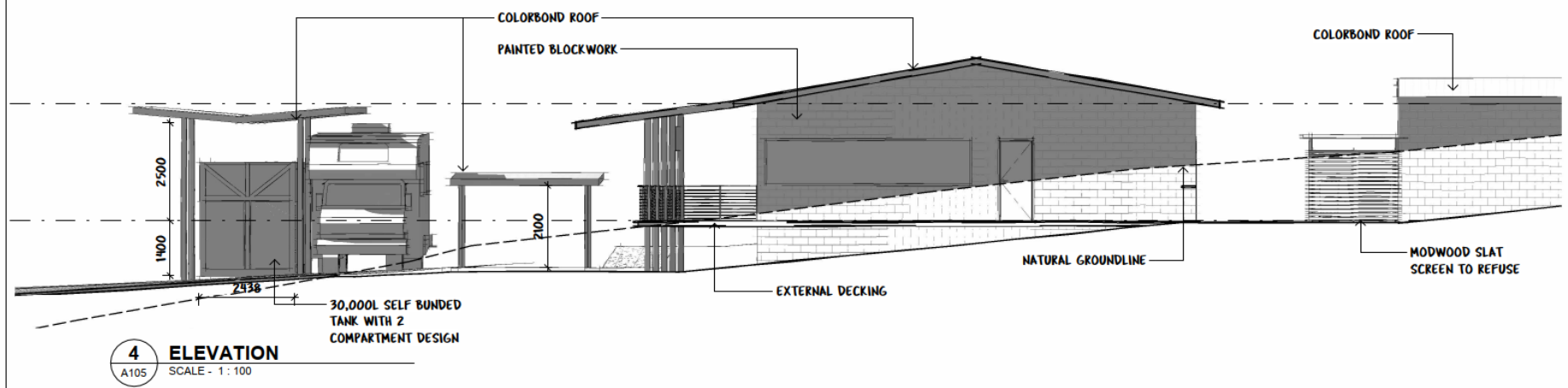
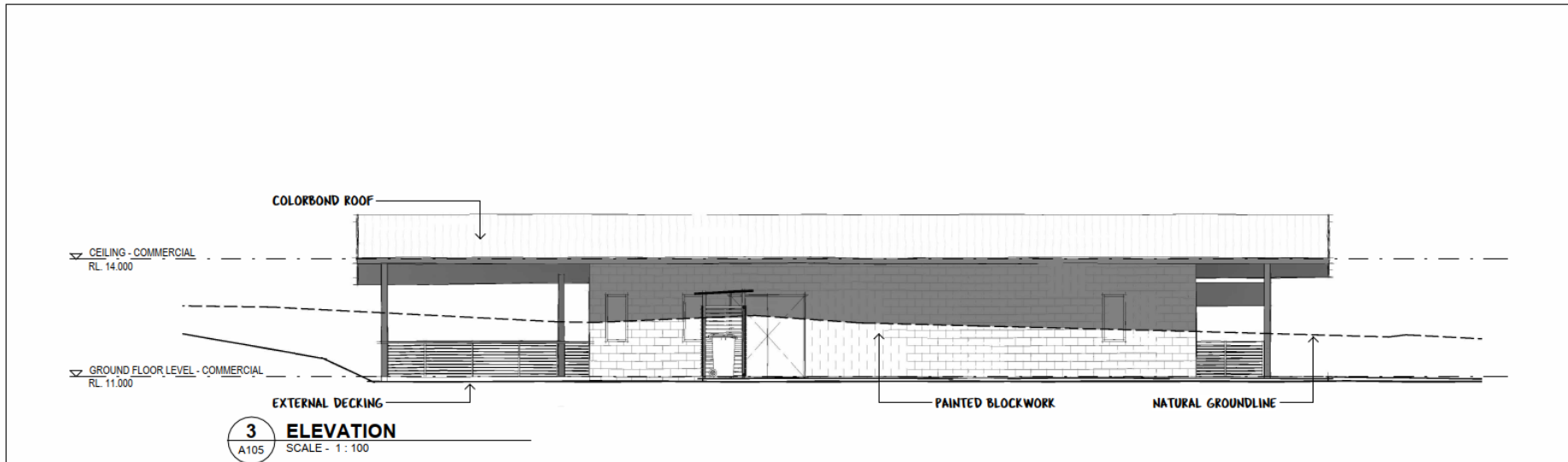
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DRAWN	HBU	SCALE	1 : 100	SIZE	A3
APPROVED	SC	DATE	09/23/24		

PROJECT	MIXED USE DEVELOPMENT LOT 7, CAMELOT CLOSE, CAPE TRIBULATION
FOR	MR. GRAHAM WILLIAMS
DWG	ELEVATION - COMMERCIAL
DWG No.	1661-DA A107
STAMP	PRELIMINARY
ISSUE	P8

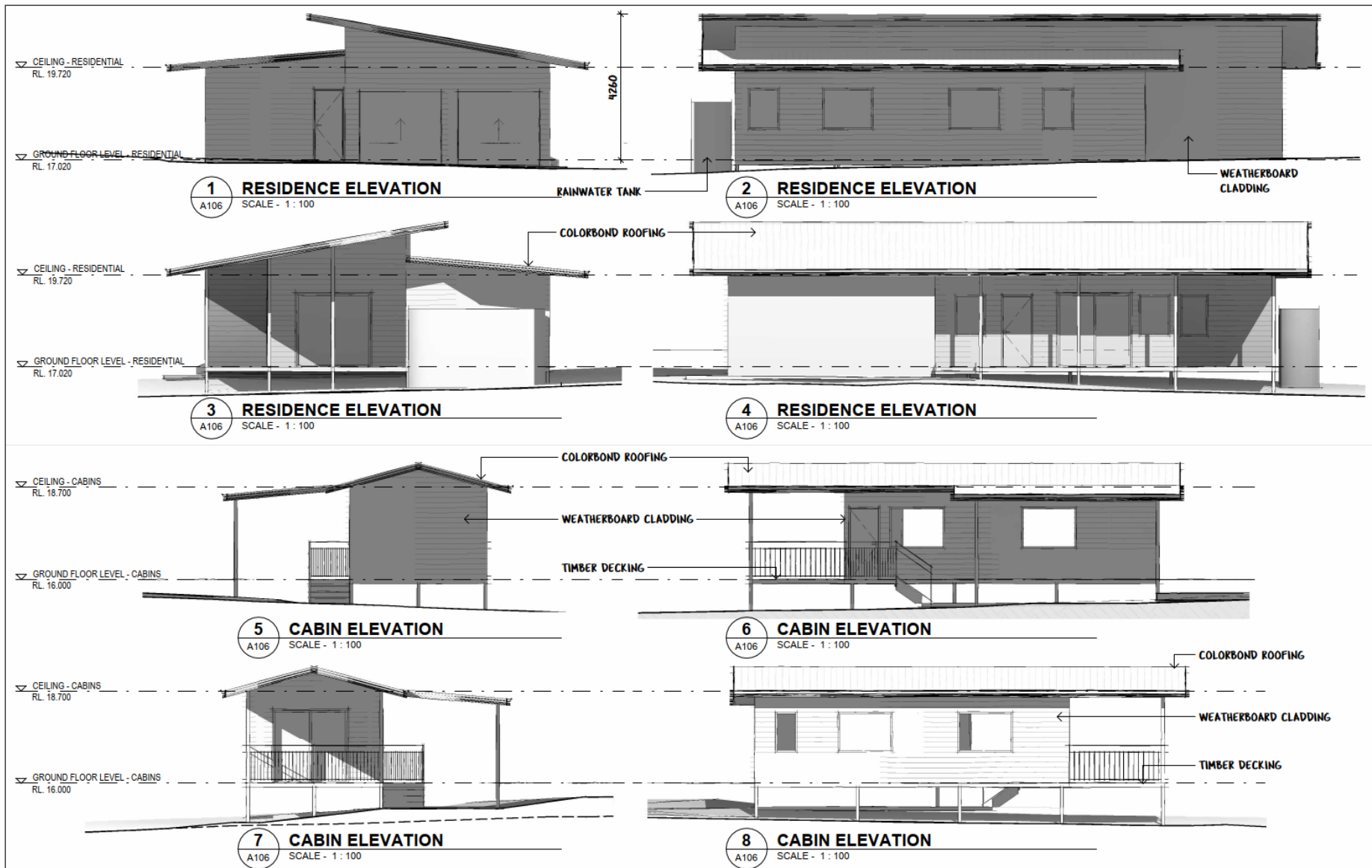


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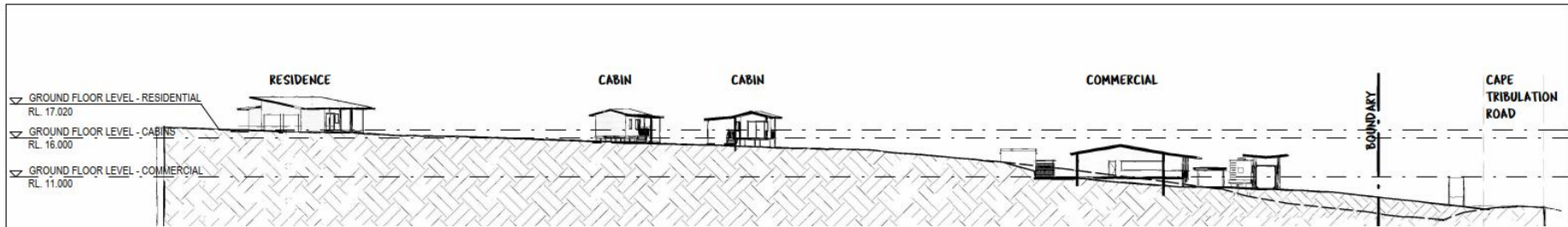
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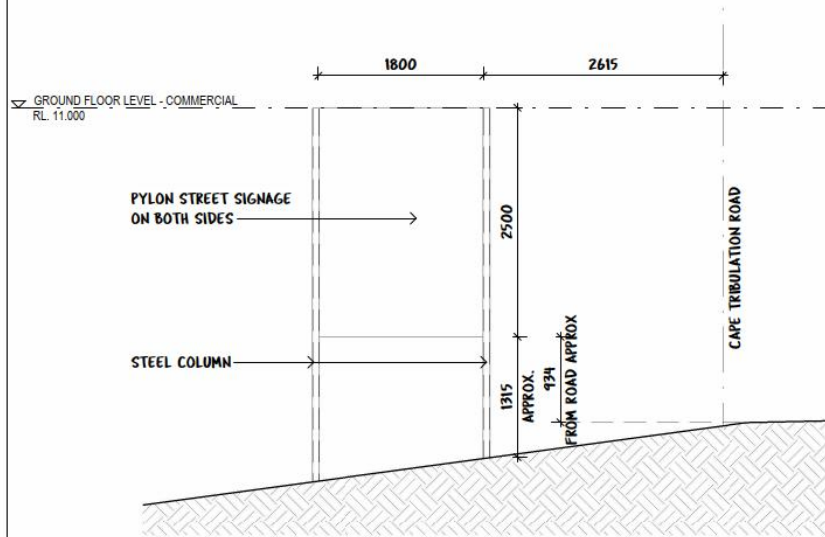
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APPROVED	SC	DATE	09/23/24			LOT 7, CAMELOT CLOSE, CAPE TRIBULATION	
						MR. GRAHAM WILLIAMS	
						ELEVATION - COMMERCIAL	
DWG No.	1661-DA A107.2	STAMP	PRELIMINARY	ISSUE	P7		



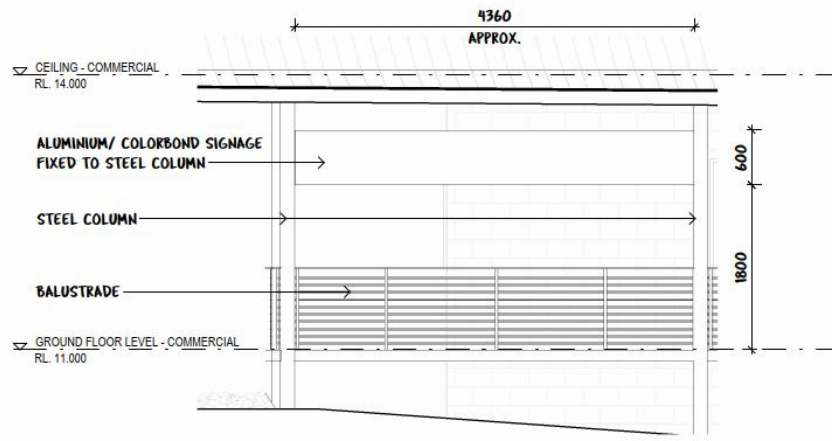
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1 SITE SECTION
SCALE - 1 : 500



2 STREET SIGNAGE
A105 SCALE - 1 : 50



3 BUILDING/FACADE SIGNAGE
SCALE - 1 : 50

AMENDMENTS	DATE	DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY. DIMENSIONS SHOWN ARE NOMINAL. ALLOWANCE TO BE MADE FOR FINISHED SIZES. VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO COMMENCING WORK. THIS DOCUMENT IS AND SHALL REMAIN THE PROPERTY OF CLARKE AND PRINCE PTY LTD. UNAUTHORISED USE OF THIS DOCUMENT IN ANY WAY IS PROHIBITED.
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DRAWN HBU	SCALE As indicated	SIZE A3	PROJECT MIXED USE DEVELOPMENT
APPROVED SC	DATE 09/24/24		LOT 7, CAMELOT CLOSE, CAPE TRIBULATION
			MR. GRAHAM WILLIAMS
			FOR PROPOSED SITE SECTION
			DWG No. 1661-DA A109
			STAMP PRELIMINARY
			ISSUE P8

Figure 1. Trees Within Proposed Development

Legend

- Lot on Plan
 - Proposed Development**
 - Building
 - Carpark
 - Road
 - Trees Within Proposed Development**
 - + Outside buffer
 - + Within 3m buffer
 - + Within envelope
- Google Satellite

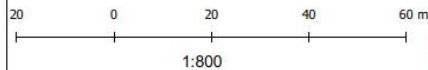


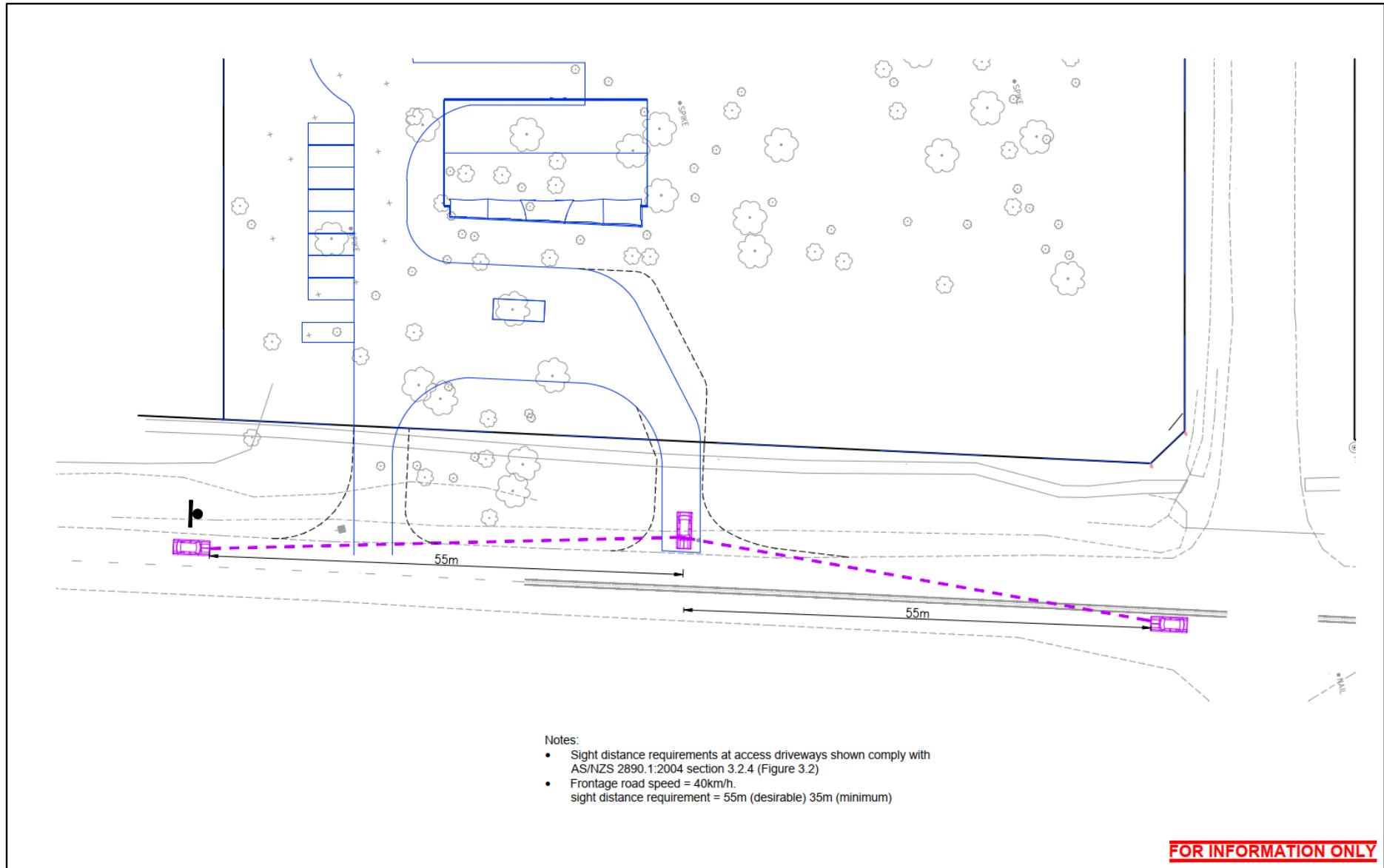
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Digital data for the regulated vegetation management map is available from the Queensland Spatial Portal at <https://qldspatial.information.qld.gov.au/>

CRS: GDA2020 EPSG:7844
Date: 20 March 2025

Print as A3





- Notes:
- Sight distance requirements at access driveways shown comply with AS/NZS 2890.1:2004 section 3.2.4 (Figure 3.2)
 - Frontage road speed = 40km/h.
sight distance requirement = 55m (desirable) 35m (minimum)

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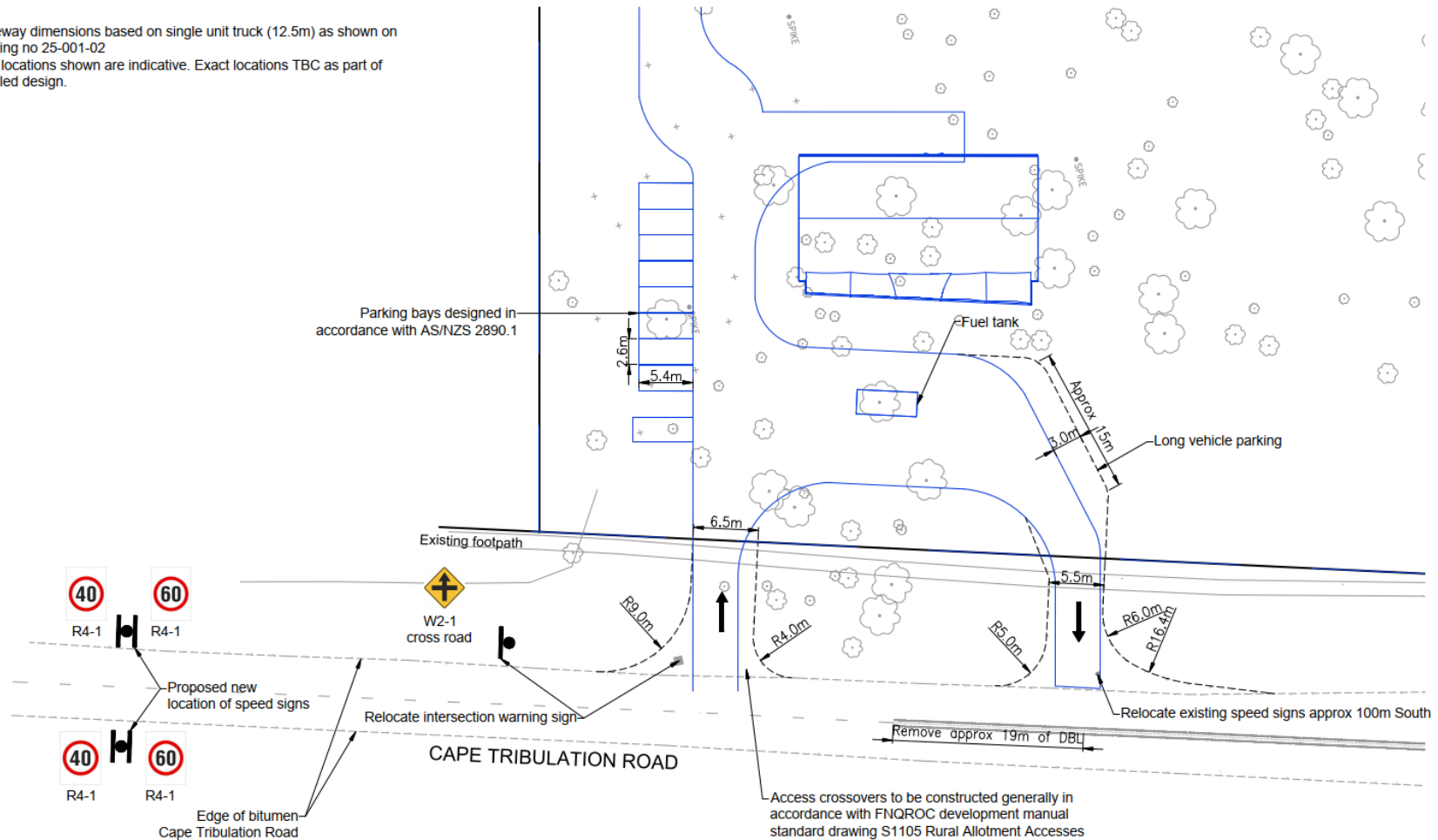
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LOT 7, Camelot Close, Cape Tribulation
Mixed Use Development
SIGHT LINES

NUMBER 1 OF 3 A1 PLANS	
REV. A	DRAWING NUMBER
25-001-01	

Notes:

- Driveway dimensions based on single unit truck (12.5m) as shown on drawing no 25-001-02
- Sign locations shown are indicative. Exact locations TBC as part of detailed design.



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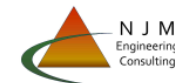
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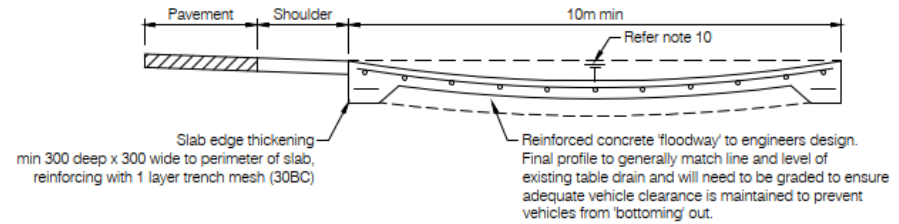
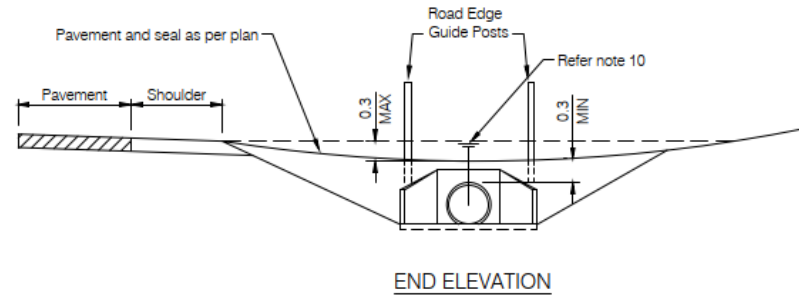
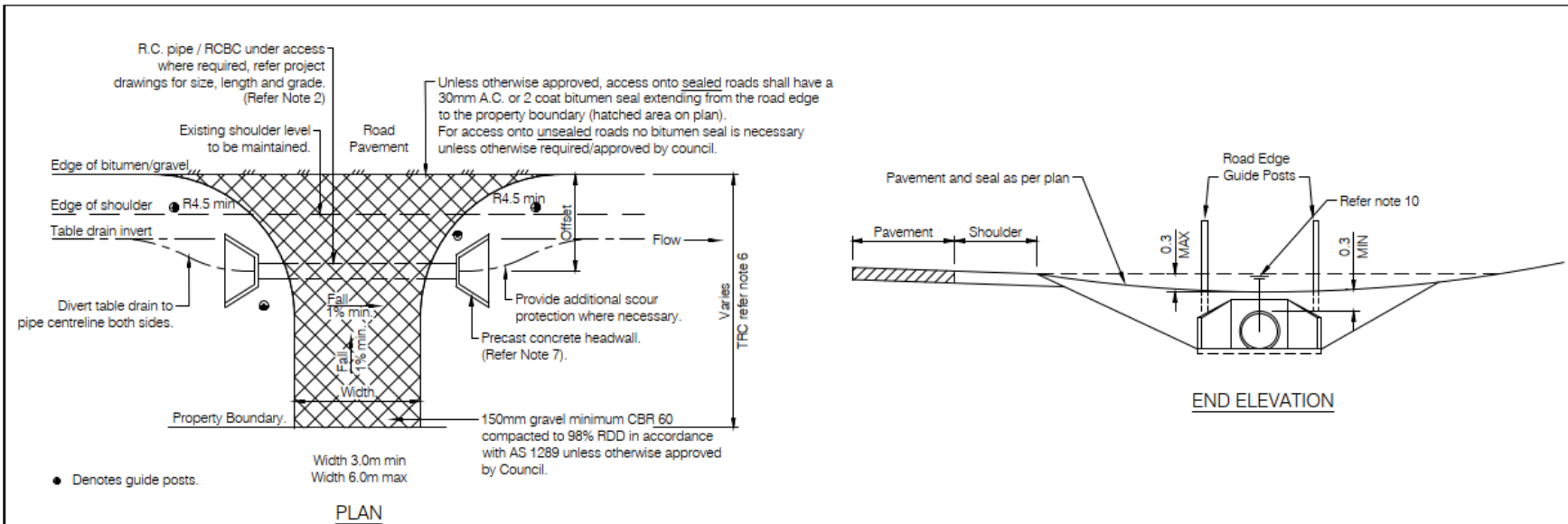
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LOT 7, Camelot Close, Cape Tribulation
Mixed Use Development
EXTERNAL WORKS



NUMBER 3 OF 3 A1 PLANS	
REV. A	DRAWING NUMBER
25-001-05	

FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access



NOTES

- Minimum length of culvert shall be 4.8m for single access, 7.2m for double access.
- Minimum pipe size shall be Ø375. Minimum RCBC to be 300mm high.
- Minimum RC pipe / RCBC gradient shall be 1:100.
- Where cover to RC pipes is less than 260mm pipe shall have 100mm concrete encasement or bridging slab per S1015.
- Drainage from access must not flow over the through road. All stormwater runoff shall be directed to the table drain.
- Maximum 10 metres from edge of bitumen seal or where grade is steeper than 6% the bitumen seal shall extend from the road edge to the property boundary unless otherwise approved.
- Precast sloping headwalls shall be used when :
 - the through road has a signposted speed of 80km/hr or greater.
 - the through road has a signposted speed of 60km/hr and the offset distance from the traffic lane to the culvert is less than 4.5m.
- Concrete shall be grade N32 minimum in accordance with AS 1379 and AS 3600.
- All dimensions are in millimetres.
- Hydraulic capacity of pipe and access to match the capacity of the table drain. This may require the use of multiple pipes.
- Minimum sight distances at accesses should comply with "Sight Distance at Property Entrances" Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.
- In instances where the detail/s shown on this drawing cannot be achieved due to existing constraints, Council shall be contacted to achieve an acceptable alternative.

		DISCLAIMER			RURAL ALLOTMENT ACCESSSES	Standard Drawing S1105			
G	MINOR AMENDMENT TO NOTES	05/12/23	The authors and sponsoring organisations shall have no liability or responsibility to the user or any other person or entity with respect to any liability, loss or damage caused or alleged to be caused, directly or indirectly, by the adoption and use of these Standard Drawings including, but not limited to, any interruption of service, loss of business or anticipatory profits, or consequential damages resulting from the use of these Standard Drawings. Persons must not rely on these Standard Drawings as the equivalent of, or a substitute for, project-specific design and assessment by an appropriately qualified professional.			F	G		
F	MINOR AMENDMENTS	27/08/20							
REVISIONS		DATE							

Reasons for Decision

1. Sections 60, 62 and 63 of the *Planning Act 2016*:

- a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
- b. to ensure compliance with the *Planning Act 2016*.

2. Findings on material questions of fact:

- a. the development application was properly lodged to the Douglas Shire Council on 18 June 2025 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
- b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.

3. Evidence or other material on which findings were based:

- a. the development triggered assessable development under the Assessment Table associated with the Conservation Zone Code;
- b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
- c. the applicant's reasons have been considered and the following findings are made:
 - i. The development meets the need for the provision and security for a fuel outlet at Cape Tribulation and will support the residential and commercial entities in that area and beyond. The development is found to be an appropriate use in respect to the Far North Queensland Regional Plan and the Planning Scheme Strategic Framework and these considerations outweigh the conflict with the Cape Tribulation and Daintree Coast Local Plan (land not being located at Cow Bay) and the Conservation Zone (being a listed inconsistent use);
 - ii. In terms of land use designations, the Planning Scheme does not anticipate the consequential isolation of Cape Tribulation due to extreme weather events and the responding need for a small-scale service station (fuel only) taking place in this remote location and therefore does not designate land accordingly; and
 - iii. Despite not being anticipated development to establish in the Conservation zone, the proposed small-scale use can be developed without compromising the surrounding natural areas and the nearby World Heritage Areas. The conditions of the approval limit the use and impacts to maintain natural area considerations.

Assessment Benchmarks

The following are the benchmarks applying to the development.

Benchmarks applying for the development	Benchmark reference
	Far North Queensland Regional Plan and Infrastructure Plan (2026)
Strategic Framework Cape Tribulation and Daintree Coast Local Plan code Conservation zone code Acid sulphate soils overlay code Flood and storm tide hazard overlay code Landscape values overlay code Natural areas overlay code Transport network overlay code	Douglas Shire Planning Scheme 2018 (V1.0) in effect 2 January 2018 (including the consideration of the Far North Queensland Regional Plan 2009-2011)

Dwelling House Code Service Station Code Access, parking and servicing code Advertising devices code Environmental performance code Filling and excavation code Infrastructure works code Landscaping Code	
---	--

Non-Compliance with Assessment Benchmarks

As listed in 3c above.

Consideration of properly made submissions

Grounds of submission	Officer comment
<p>Many homes and businesses in the Cape Tribulation area rely on fuel for power generators and for vehicle transport.</p> <p>Having a reliable service station at Cape Tribulation is essential for community safety, emergency response, and the survival of local tourism operators.</p> <p>The need for a local provision was identified following the TC Jasper event.</p> <p>Unless you live on a remote station or farm, there are not too many people that live 30 minutes from the nearest fuel station. We are not farmers, we are a community, and a community that also relies heavily on fuel driven generators for power supply which makes it an essential service. This service is not just essential for locals during disaster events, but also for everyday living.</p>	<p>It is agreed the development improve fuel security to residents and business in the local area.</p>
<p>The inclusion of a small shop and food outlet is supported and will provide access to basic goods and services locally, reducing the need for long trips south. Access to local providers is important when roads are cut off.</p>	<p>It is agreed the development improve the local services to this remote community.</p>
<p>The proposal has been designed to respect the environment. The development seeks to retain the vegetation along Cape Tribulation Road and will screen the buildings.</p>	<p>It is agreed the development has been designed with minimal footprint. Further landscaping of the setbacks are required through conditions of the approval.</p>
<p>The cabins are low impact and will attract eco-tourists who value the natural beauty of the Daintree.</p>	<p>It is agreed the cabins provide increased tourist accommodation and activity in this local area.</p>
<p>The development strikes the right balance between meeting community needs and protecting the environment.</p>	<p>It is agreed the development is small scale in keeping with the community needs and conserving the environment.</p>
<p>The development will provide resilience, jobs and services while maintaining the scenic character of Cape Tribulation.</p>	<p>It is agreed the development provides increased economic development at an appropriate scale to this community.</p>

Grounds of submission	Officer comment
<p>The proposal is an inappropriate development in a conservation zone and puts pressure on the environment. Cape tribulation ahs been developed enough.</p>	<p>The development is considered to be small scale and conditions of the approval limit the range of activities that can operate under the service station use and a separate condition limits clearing and hours of use.</p>
<p>The development is an unnecessary expansion of settlement footprint.</p> <p>Should conditions such as occurred with TC Jasper be repeated a fuel system on PKs Resort land (which is already degraded, and which would not be significantly alter the settlement footprint or amenity) should be considered.</p> <p>The application appears to have arisen from a dispute between a nearby owner and their tenant who operates a small grocery store. We already have two shops in Cape Tribulation. The development will result in a third operator in the area to the existing Mason's Store and the Friendly Grocer. This is inappropriate for such a small settlement.</p> <p>There is existence of a far more appropriate location for this facility within the Village.</p>	<p>The development is on an existing lot and near to other similar small scale commercial, tourism and nature based cultural activities and land uses.</p> <p>Response to disaster events should be planned including the identified need for improved fuel security as a result of landslips to the road network to Cape Tribulation.</p> <p>The existing development at PK's is quite intense and further development on this land would be limited due to increased parking demand.</p>
<p>There is no need for a service station. The is the wrong location for a service station.</p> <p>Despite being stuck in Cape Tribulation post TC Jasper and part of the clean up crews and helping land barrels of diesel for generators and being aware of the cost to bring fuel to the area during hard times, this is not enough reason for a petrol station.</p>	<p>Response to disaster events should be planned including the identified need for improved fuel security as a result of landslips to the road network to Cape Tribulation.</p> <p>Delivering barrels of fuel without sufficient landing and dispensing facilities is an inappropriate response to identified and now known issues arising from a disaster event.</p>
<p>As UNESCO World Heritage listed area there is a huge impact on the local area with this development going ahead. This property is right in the middle of the Daintree access road and already has an overly large amount of in this area. Especially the placement of a service station. The North of the river already has a fuel station at Rainforest camp in Diwan. As World Heritage Listed since 1988 I Believe the plan is to slow development and emphasise to visitors a lower impact in the region. This development is very contradictory to this idealism.</p>	<p>Lot 7 and the surrounding freehold lots are not included in the Qld Wet Tropics World Heritage Area.</p> <p>Queensland Health and Safety require fuel storage and dispensing to be compliance with the Australian Standard. A condition of the approval requires a sediment control plan. The development has a limited footprint on the site which restrictions on any further clearing once the development has been undertaken.</p> <p>The development is small scale and commensurate to the size of the land and the identification of Cape Tribulation as a Rural Activity Centre in the Far north Queensland Draft Regional Plan.</p>
<p>The development has caused damage to a significant area of lowland tropical rainforest (with a demonstrated high tree species diversity).</p> <p>While Lot 7 has been subject to a considerable amount of past illegal settlement and abuse, restoration of the block to approach the original condition, would be relatively simple and low cost. A restoration of the land would greatly enhance the World Heritage values of the area as well as visual amenity.</p>	<p>It is acknowledged that the clearing was undertaken without the necessary approvals. A full tree species survey has been provided and clearing necessary for the approval has been identified and is considered appropriate.</p>

Grounds of submission	Officer comment
<p>Concerns are held as to whether the project has the required capacity to provided services adequate for its intended operations (water, electric power)</p>	<p>The application has been supported with qualified advice to ensure sufficient services will be available.</p>
<p>The development will reduce community and visual amenity. The development will result in a reduction in the Wet Tropics World Heritage characteristics (visual appeal etc).</p>	<p>The development will increase the delivery of services to the local community and improve social well-being. The development is all single storey with appropriate materials and finishes. The development is setback from the road to ensure limited impact on the visual amenity on the scenic route.</p>

Planning Act 2016
Chapter 3 Development assessment

[s 74]

relevant preliminary approval means a preliminary approval given under the old Act by an entity other than a private certifier.

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—

-
- (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or
 - (ii) a development condition imposed under a direction given by the Minister under part 6, division 2; or
 - (iii) a development condition imposed under a direction given by the chief executive under section 106ZF(2); or
 - (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(d).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
- (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the assessment manager gives the applicant the decision notice for the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) If the applicant makes the change representations during the appeal period without giving a notice under subsection (2),

[s 76]

the appeal period is suspended from the day the representations are made until—

- (a) the applicant withdraws the change representations by notice given to the assessment manager; or
 - (b) the assessment manager gives the applicant the decision notice for the change representations; or
 - (c) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (6) Despite subsections (4) and (5), if the decision notice mentioned in subsection (4)(b)(ii) or (5)(b) is a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that must be considered when assessing a development application, to the extent those matters are relevant.

Note—

For change representations for a development approval for development requiring social impact assessment, see also section 106ZI.

- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
- (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local

-
- government area—the relevant local government;
and
- (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
- (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
- (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

Subdivision 2 Changes after appeal period

77 What this subdivision is about

This subdivision is about changing a development approval, other than the currency period, after all appeal periods in relation to the approval end.

78 Making change application

- (1) A person may make an application (a *change application*) to change a development approval.

Note—

For the making of a change application for a development approval that was a PDA development approval, see also the *Economic Development Act 2012*, sections 51AM, 51AN and 51AO.

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

(2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

(3) In this section—

conduct means an act or omission.

representative means—

(a) of a corporation—an executive officer, employee or agent of the corporation; or

(b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

(a) knowledge, intention, opinion, belief or purpose; and

(b) reasons for the intention, opinion, belief or purpose.

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.

Note—

For limitations on appeal rights in relation to a development approval
for development requiring social impact assessment, see section 106ZJ.

- (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 a decision of the Minister, under
chapter 7, part 4, to amend the registration of premises
to include additional land in the affected area for the
premises—20 business days after the day a notice is
published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges
notice—20 business days after the infrastructure charges
notice is given to the person; or
 - (f) 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
 - (g) for an appeal relating to the *Plumbing and Drainage Act
2018*—
 - (i) 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

- (ii) 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
 - (iii) 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
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, 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—

 - (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, any tribunal or another entity; and
- (c) 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.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the ***appointer***) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—

26 May 2026

Enquiries: Jenny Elphinstone
Our Ref: CA 2025_5786/1 (Doc ID 1368126)
Your Ref: WP24 006WIL

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

GDUB Holdings Pty Ltd (Tte)
C/- wildPLAN Pty Ltd
PO Box 8028
CAIRNS QLD 4870

Email: matthew@wildplan.com.au

Attention Mr Matthew Ward

Dear Sir

Adopted Infrastructure Charge Notices
Development Application for Combined Application for a Material Change of use for a Staged Development for Service Station, Shop, Food and Drink Outlet, Dwelling-House and Nature Based Tourism and Operational Work for Advertising Devices
At Cape Tribulation Road Cape Tribulation
On Land Described as Lot 7 on RP733181

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: CA 2025_5786/1 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully



For
Leonard Vogel
Manager Environment & Planning

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

Adopted Infrastructure Charges Notices – For Each Stage



2018 Douglas Shire Planning Scheme version 1.0 Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

GDUB Holdings Pty Ltd (Tte) DEVELOPERS NAME		Stage 1 of 3 ESTATE NAME	1 STAGE
L7 Camelot Close		Cape Tribulation	Lot 7 on RP733181 7488
STREET No. & NAME		SUBURB	LOT & RP No.s
CA- MCU for Service Station, Shop and Food and Drink Outlet and Op Work for advertising devices and dwelling house			0 6
DEVELOPMENT TYPE			PARCEL No.
1367879		1	
DSC Reference Doc. No.		VERSION No.	COUNCIL FILE NO. VALIDITY PERIOD (year)
Payment before commencement of use for MCU; and Prior to signing and sealing of survey form for ROL			

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

Proposed Demand	Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Commercial_retail Shop	\$_per_m²_GFA	200.99	159	\$31,957.41		Prior arrangement for online payment via invoicing - see below. Code 895 GL GL7500.135.825
Commercial_retail Food_and_drink_outle	\$_per_m²_GFA	200.99	138	\$27,736.62		
Total Demand				\$59,694.03		
Credit						
<u>Existing land use</u>						
Residential Dwelling_house	\$_per_3_or_more_be droom_dwelling	29420.02	1	\$29,420.02		
Total Credit				\$29,420.02		
Net demand without discount				\$30,274.01		
Discount						
Discount non-sewer area 35% reduction				\$10,595.90		
Discount for non water supply non-residential us 25% reduction				\$7,568.50		
Total Discount				\$18,164.41		

Required Payment or Credit **TOTAL** **\$12,109.60**

Prepared by	J Elphinstone	25-May-26	Amount Paid	
Checked by	R Taranto	25-May-26	Date Paid	
Date Payable	MCU - prior to the commencement of use		Receipt No.	
Amendments		Date	Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.
 Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

If you seek to pay online, please request an invoice to be issued via enquiries@douglas.qld.gov.au

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

ADOPTED INFRASTRUCTURE CHARGES NOTICE

GDUB Holdings Pty Ltd (Tte) DEVELOPERS NAME		Stage 3 - Nature Based Tourism ESTATE NAME	3 STAGE
L7 Camelot Close STREET No. & NAME		Lot 7 on RP733181 LOT & RP No.s	7488 PARCEL No.
Cape Tribulation SUBURB		0 COUNCIL FILE NO.	6 VALIDITY PERIOD (year)
CA- MCU for Service Station, Shop and Food and Drink Outlet and Op Work for advertising devices and dwelling house DEVELOPMENT TYPE		Payment before commencement of use for MCU; and Prior to signing and sealing of survey form for ROL	
1367892 DSC Reference Doc. No.	1 VERSION No.		

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

	Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand						
Other_uses	Nature_based_tourism per Cabin	7,762.63	2	\$15,525.26		
	Total Demand			\$15,525.26		
Credit						
Existing land use						Prior arrangement for online payment via invoicing - see below. Code 895 GL GL7500.135.825
	Total Credit			\$0.00		
Net demand without discount				\$15,525.26		
Discount						
Discount non-sewer area	35% reduction			\$5,433.84		
Discount for non water supply residential	30% reduction			\$4,657.58		
Total Discount				\$10,091.42		

Required Payment or Credit **TOTAL** **\$5,433.84**

Prepared by	J Elphinstone	25-May-26	Amount Paid	
Checked by	R Taranto	25-May-26	Date Paid	
Date Payable			Receipt No.	
Amendments		Date	Cashier	

MCU - prior to the commencement of use

Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

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Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

- (2) This section is subject to section 123.

123 Agreements about payment or provision instead of payment

- (1) The recipient of an infrastructure charges notice and the local government that gave the notice may agree about either or both of the following—
- (a) whether the levied charge under the notice may be paid other than as required under section 122 including whether the charge may be paid by instalments;
 - (b) whether infrastructure may be provided instead of paying all or part of the levied charge.
- (2) If the levied charge is subject to an automatic increase provision, the agreement must state how increases in the charge are payable under the agreement.

Subdivision 5 Changing charges during appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider any representations made by the recipient.
- (3) If the local government—
- (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice;

the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.

- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.
- (8) However, if the recipient gives the local government a notice withdrawing the representations before the local government has given a negotiated notice or decision notice—
 - (a) the appeal period is taken to have been suspended from the day the representations were made; and
 - (b) the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 126 in relation to suspending the appeal period by notice.

126 Suspending appeal period by notice

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the appeal period to the local government.
- (2) The recipient may give only 1 notice.

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
 - conduct* means an act or omission.
 - representative* means—
 - (a) of a corporation—an executive officer, employee or agent of the corporation; or
 - (b) of an individual—an employee or agent of the individual.
 - state of mind*, of a person, includes the person's—
 - (a) knowledge, intention, opinion, belief or purpose; and
 - (b) reasons for the intention, opinion, belief or purpose.

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.

Note—

For limitations on appeal rights in relation to a development approval
for development requiring social impact assessment, see section 106ZJ.

- (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 a decision of the Minister, under
chapter 7, part 4, to amend the registration of premises
to include additional land in the affected area for the
premises—20 business days after the day a notice is
published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges
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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
 - (g) for an appeal relating to the *Plumbing and Drainage Act
2018*—
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Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

- (ii) 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
 - (iii) 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
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, 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.

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- (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—

 - (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
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232 Rules of the P&E Court

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

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the ***appointer***) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—