DOUGLAS SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

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

16 October 2026

Enquiries: Jenny Elphinstone
Our Ref: MCUI 2026_5953/1 (Doc ID 1397054)
Your Ref:

Nathan Timothy Pidgeon and Jackson Laurie Brown
c/- McPeake Town Planning QLD Pty Ltd
PO Box 5829
CAIRNS QLD 4870

Email: approvals@jamesmcpeake.com.au

Attention Mr James McPeake

Dear Sir

Development Application for Material Change of Use (Impact) for Dual Occupancy on Each Lot at 8 and 8A Endeavour Street Port Douglas On Land Described as Lots 1 and 2 on SP: 346849

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

Please quote Council's application number: MCUI 2026_5953/1 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

Neil Beck
Team Leader Planning

encl.

- Decision Notice
  - Approved Drawing(s) and/or Document(s)
  - Concurrence Agency Response
  - 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:	Nathan Timothy Pidgeon and Jackson Laurie Brown
Postal Address:	C/- McPeake Town Planning QLD Pty Ltd PO Box 5829 Cairns Qld 4870
Email:	approvals@jamesmcpeake.com.au

Property Details

Street Address:	8 and 8A Endeavour Street, Port Douglas.
Real Property Description:	Lots 1 and 2 on SP 346849.
Local Government Area:	Douglas Shire Council.

Details of Proposed Development

Development Permit for Material Change of Use (Impact) for a dual occupancy on each lot.

Decision

Date of Decision:	16 October 2026
Decision Details:	Approved (subject to conditions)

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

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

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

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

Drawing or Document	Reference	Date
Floor Plan	Dixon Homes Job 3869, Drawing DR7402.	24 April 2026

Drawing or Document	Reference	Date
Contour and Detail Survey	Generally in accordance with . RPS AAP Consulting Pty Ltd, Drawing and Issue AU004352-211, dated 4 March 2026 and amended to include requirements of Conditions 5 and 6.	To be determined.
Elevations	Dixon Homes Job 3869, Drawing DR7402.	24 April 2026
Floor Plan	Dixon Homes Job 3868, Drawing DR7402.	26 April 2026
Contour and Detail Survey	RPS AAP Consulting Pty Ltd, Drawing and Issue AU004352-212.	4 March 2026
Elevations	Dixon Homes Job 3868, Drawing DR7402.	26 April 2026

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 endorsement of the Survey Plan except otherwise nominated in these conditions of approval.

Sediment and Erosion Control

3. A copy of the contractors Erosion and Sediment Control Plan (ESCP) is to be submitted to Council for endorsement by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. ESCP plans must be provided for the following stages of the development;

   a. stripping and grubbing stage;

   b. filling stage; and

   c. pad and building construction stage.

   All earthworks must be carried out in accordance with section CP1.13 and D5 of the FNQROC Development Manual. The ESC Plan must address the Institution of Engineers' Australia Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy and Clauses CP1.06, CP1.13 and D5.10 of Council's FNQROC Development Manual.

   Measures nominated in the approved ESCP must be implemented and maintained to the satisfaction of the Chief Executive Officer throughout each stage of the development.

Water Supply and Sewerage Works Internal

4. Undertake the following water supply and sewerage works internal to the subject land:

   a. Utilise the existing sewer connection. If the existing sewer connection is inadequately sized to service the development, it must be upgraded.

   b. Utilise the existing single water connection. If the existing sewer connection is inadequately sized to service the development, it must be upgraded.

   All the above works must be designed and constructed in accordance with the *FNQROC Development Manual.*

   All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Landscaping

5. The site must be landscaped in accordance with a landscaping plan. The plan must;

   a. Include up of 70% native vegetation species;

   b. Include detail of front fencing to Unit 1 to ensure satisfactory private open space is provided to this area;

   c. Include detail of all paving and hard surface areas (materials and colours) and include a different finish to the car parking spaces located in the hard standing areas;

   d. Be in accordance with Planning Scheme Policy SC6.7; and

   e. Include sufficient splay to the landscape areas adjacent to the driveway to provide for swept path movements for vehicles to leave the site in a forward gear.

   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.

Car Parking

6. The site must accommodate no less than two vehicle parking spaces per unit in accordance with AS2890. The vehicle parking in the allocated parking space in front of Unit 1 can enter and leave in a reverse direction, all other vehicles must enter and leave the site in a forward gear.

Emissions

7. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery and Plant

8. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Construction Signage

9. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:

a. Developer;

b. Project Coordinator;

c. Architect/Building Designer;

d. Builder;

Lawful Point of Discharge

10. 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.

Damage to Council Infrastructure

11. 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.

Advice

1. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.

2. This approval does not negate the requirement for compliance with all other relevant Council Local Laws and other statutory requirements.

3. For information relating to the *Planning Act 2016* log on to https://planning.dsdmip.qld.gov.au/. To access the *FNQROC Regional Development Manual*, Local Laws, the Douglas Shire Planning Scheme and other applicable Policies log on to www.douglas.qld.gov.au.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

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

   Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

   The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Development Assessment Team at council for review of the charge amount prior to payment.

   The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

   Note: the land on which the undefined use is being established, is currently vacant and is afforded a credit for a three-bedroom dwelling as per the *Planning Act 2016.* This infrastructure charges credit has been utilised for this approval.

Properly Made Submitters

Mereana Q Pohatu 53A Endeavour Street, Port Douglas Q 4877

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

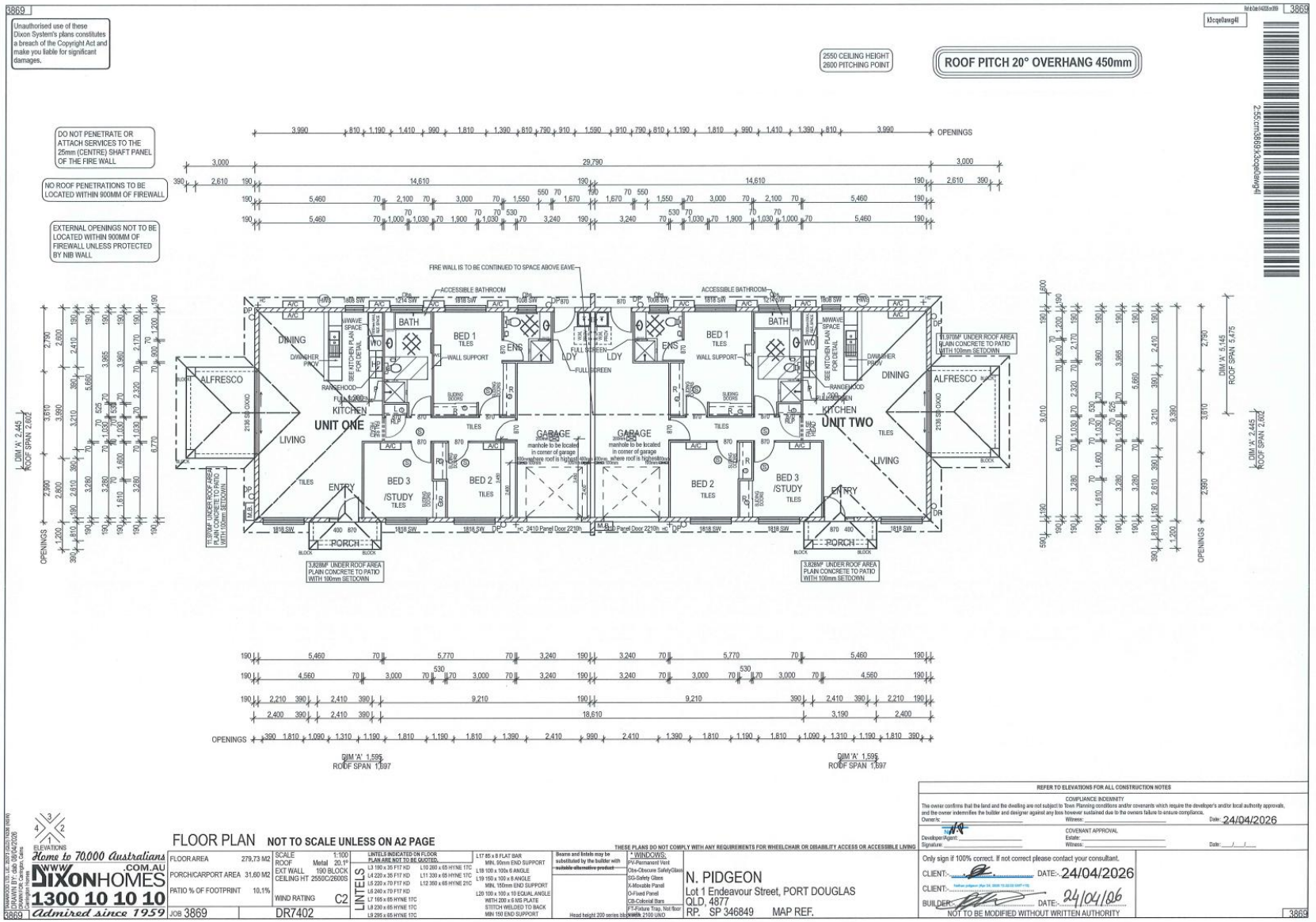
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

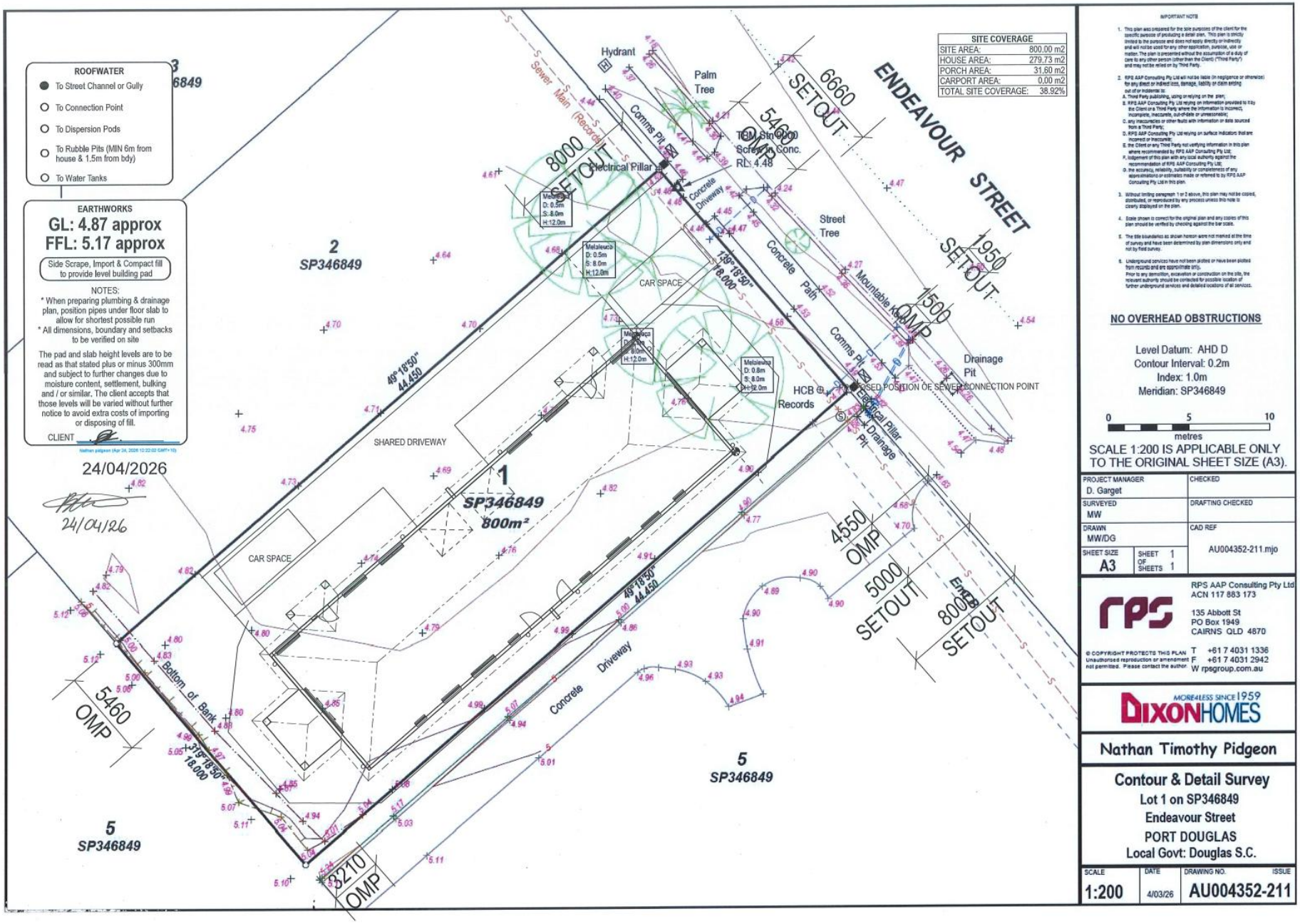
Rights to make Representations & Rights of Appeal

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.

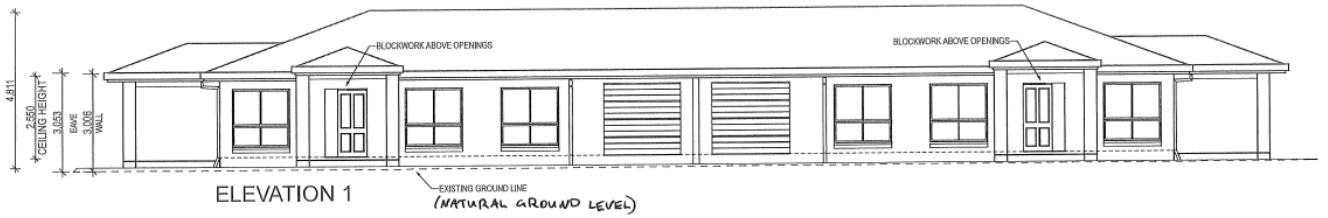
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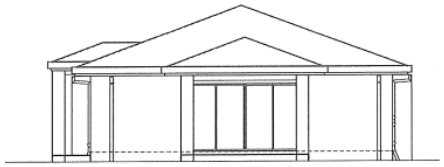

ROOFWATER
To Street Channel or Gully
To Connection Point
To Dispersion Pods
To Rubble Pits (MIN 6m from house & 1.5m from bdy)
To Water Tanks
EARTHWORKS
GL: 4.87 approx
FFL: 5.17 approx
Side Scrape, Import & Compact fill to provide level building pad
NOTES:
* When preparing plumbing & drainage plan, position pipes under floor slab to allow for shortest possible run
* All dimensions, boundary and setbacks to be verified on site
The pad and slab height levels are to be read as that stated plus or minus 300mm and subject to further changes due to moisture content, settlement, bulking and / or similar. The client accepts that those levels will be varied without further notice to avoid extra costs of importing or disposing of fill.
CLIENT
24/04/2026
24/04/26
SITE COVERAGE
SITE AREA: 800.00 m2
HOUSE AREA: 279.73 m2
PORCH AREA: 31.60 m2
CARPORT AREA: 0.00 m2
TOTAL SITE COVERAGE: 38.92%
ENDEAVOUR STREET
Hydrant
Palm Tree
Sewer Main (Record)
Comms Pit
TBM Stn 9000 Screw in Conc. RL: 4.48
Electrical Pillar
Concrete Driveway
Street Tree
Mountable Kerb
Concrete Path
Drainage Pit
PROPOSED POSITION OF SEWER CONNECTION POINT
HCB
Records
8000 SETOUT
6660 SETOUT
1950 SETOUT
1500 OMP
5460 OMP
4550 OMP
5000 SETOUT
8000 SETOUT
3210 OMP
49°18'50" 44.450
319°18'50" 18.000
Bottom of Bank
SHARED DRIVEWAY
CAR SPACE
Metaleuca D: 0.5m S: 8.0m H:12.0m
2 SP346849
1 SP346849 800m²
5 SP346849
3 6849
IMPORTANT NOTE
NO OVERHEAD OBSTRUCTIONS
Level Datum: AHD D
Contour Interval: 0.2m
Index: 1.0m
Meridian: SP346849
0 5 10
metres
SCALE 1:200 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3).
PROJECT MANAGER D. Garget
CHECKED
SURVEYED MW
DRAFTING CHECKED
DRAWN MW/DG
CAD REF AU004352-211.mjo
SHEET SIZE A3
SHEET 1 OF SHEETS 1
RPS AAP Consulting Pty Ltd
ACN 117 883 173
135 Abbott St
PO Box 1949
CAIRNS QLD 4870
T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com.au
© COPYRIGHT PROTECTS THIS PLAN Unauthorised reproduction or amendment not permitted. Please contact the author.
MORE4LESS SINCE 1959 DIXONHOMES
Nathan Timothy Pidgeon
Contour & Detail Survey
Lot 1 on SP346849
Endeavour Street
PORT DOUGLAS
Local Govt: Douglas S.C.
SCALE 1:200
DATE 4/03/26
DRAWING NO. AU004352-211
ISSUE

3869

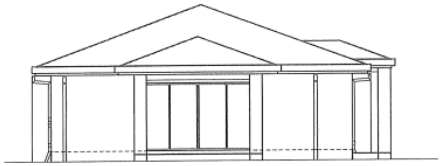
Unauthorised use of these Dixon System's plans constitutes a breach of the Copyright Act and make you liable for significant damages.



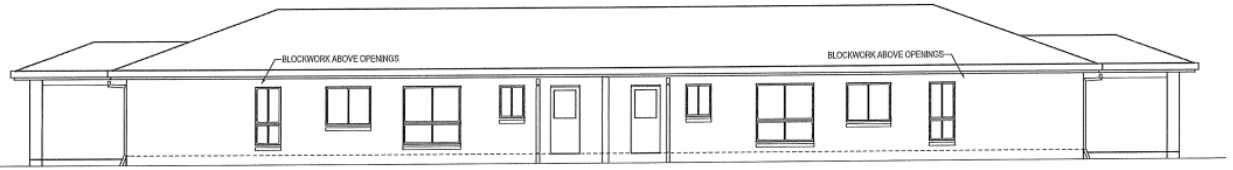
ELEVATION 1



ELEVATION 2



ELEVATION 4



ELEVATION 3

NOT TO SCALE UNLESS ON A2 PAGE

ARTICULATION JOINT SPACING: 5m

Home to 70,000 Australians
WWW.DIXONHOMES.COM.AU
1300 10 10 10
Admired since 1959

FLOOR AREA	279.73 M2	SCALE	1:100	NOTE: WINDOWS AND DOORS SHOWN ARE STANDARD BLOCKS ONLY. FOR DETAIL ON PANEL SIZE & POSITION SEE CODES ON THE FLOOR PLAN. WINDOW SIZE AND STYLE ARE INDICATIVE ONLY AND MAY VARY DEPENDING ON SUPPLIER
PORCH/CARPORT AREA	31.60 M2	ROOF	Metal 20.1°	
PATIO % OF FOOTPRINT	10.1%	EXT WALL	190 BLOCK	
		CEILING HT	2550C/2600S	
		WIND RATING	C2	
JOB 3869		DR7402		

Plan Dimensions/Errors and Omissions.
Where inadvertent changes to the originally specified dimensions and/or spaces occur, the Owner(s) will only be entitled to compensation for consequential financial loss on a resale basis, as assessed by a registered valuer nominated by the Queensland Institute of Valuers and a refund for items charged for, but not incorporated in the Contract

N. PIDGEON
Lot 1 Endeavour Street, PORT DOUGLAS
QLD, 4877
RP. SP 346849 MAP REF.

Only sign if 100% correct. If not correct please contact your consultant.
CLIENT:- ..... DATE:- 24/04/2026
CLIENT:- ..... DATE:- 24/04/26
BUILDER ..... DATE:- .....
NOT TO BE MODIFIED WITHOUT WRITTEN AUTHORITY

3869

3868

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3868

k3cqe03zvck

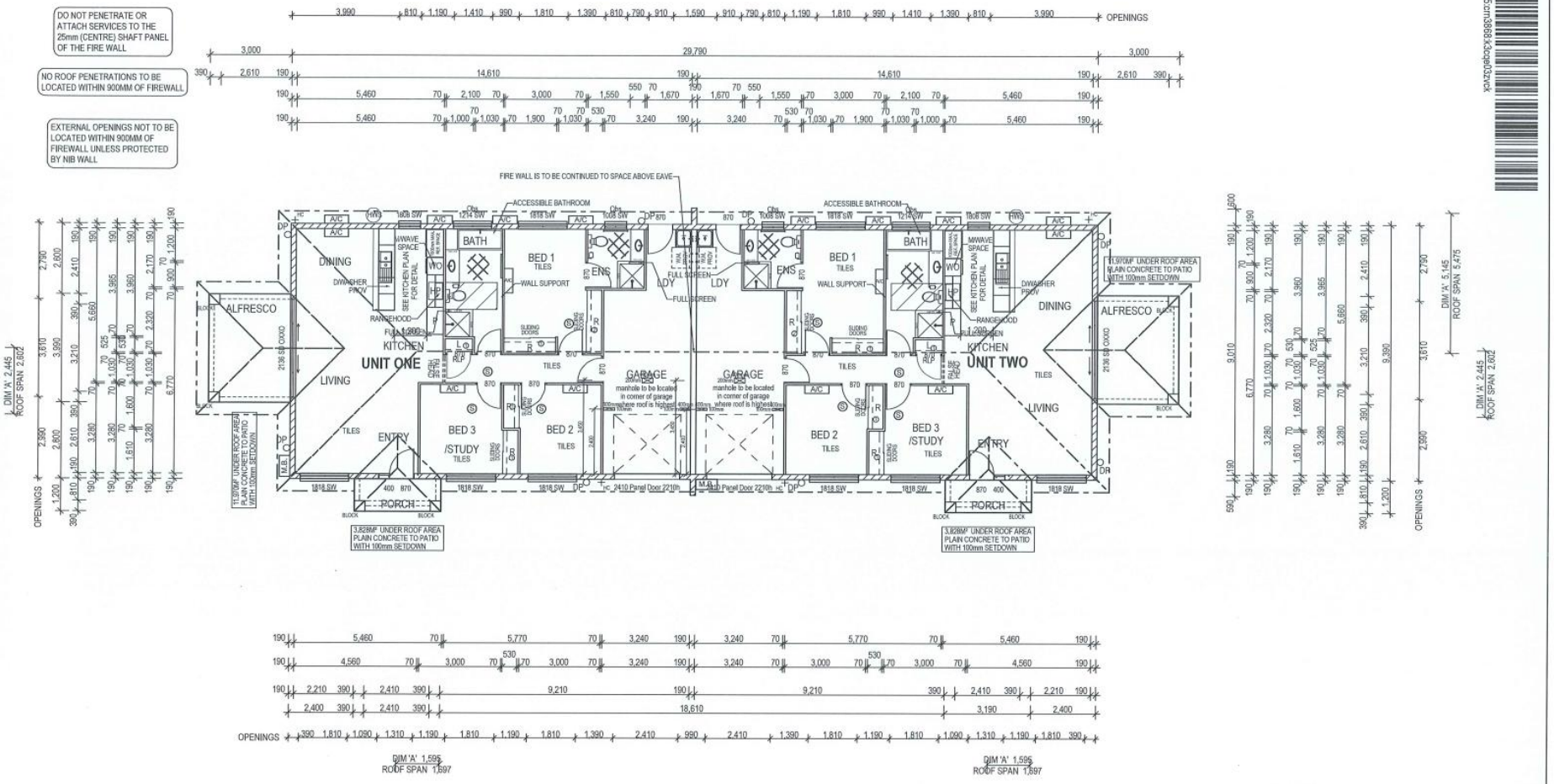
2550 CEILING HEIGHT
2600 PITCHING POINT

ROOF PITCH 20° OVERHANG 450mm

DO NOT PENETRATE OR ATTACH SERVICES TO THE 25mm (CENTRE) SHAFT PANEL OF THE FIRE WALL

NO ROOF PENETRATIONS TO BE LOCATED WITHIN 900MM OF FIREWALL

EXTERNAL OPENINGS NOT TO BE LOCATED WITHIN 900MM OF FIREWALL UNLESS PROTECTED BY NIB WALL



FLOOR PLAN

NOT TO SCALE UNLESS ON A2 PAGE

FLOOR AREA	279.73 M2	SCALE	1:100
PORCH/CARPORT AREA	31.60 M2	ROOF	Metal 20.1°
PATIO % OF FOOTPRINT	10.1%	EXT WALL	190 BLOCK
		CEILING HT	2550C/2600S
		WIND RATING	C2
JOB	3868		DR7402

LINTELS — LINTELS INDICATED ON FLOOR PLAN ARE NOT TO BE QUOTED.

L3 190 x 35 F17 KD; L4 220 x 35 F17 KD; L5 220 x 70 F17 KD; L6 240 x 70 F17 KD; L7 165 x 65 HYNE 17C; L8 230 x 65 HYNE 17C; L9 295 x 65 HYNE 17C; L10 260 x 65 HYNE 17C; L11 330 x 65 HYNE 17C; L12 350 x 65 HYNE 21C; L17 85 x 8 FLAT BAR MIN. 90mm END SUPPORT; L18 100 x 100x 6 ANGLE; L19 150 x 100 x 8 ANGLE MIN. 150mm END SUPPORT; L20 100 x 100 x 10 EQUAL ANGLE WITH 200 x 8 MS PLATE STITCH WELDED TO BACK MIN 150 END SUPPORT

Beams and lintels may be substituted by the builder with suitable alternative product

Head height 200 series blockwork 2100 UNO

* WINDOWS:
PV-Permanent Vent
Obs-Obscure Safety Glass
SG-Safety Glass
X-Movable Panel
O-Fixed Panel
CB-Colonial Bars
FT-Fixture Trap, Not floor

THESE PLANS DO NOT COMPLY WITH ANY REQUIREMENTS FOR WHEELCHAIR OR DISABILITY ACCESS OR ACCESSIBLE LIVING

J. BROWN
Lot 2 Endeavour Street, PORT DOUGLAS
QLD, 4877
RP. SP 346849 MAP REF.

REFER TO ELEVATIONS FOR ALL CONSTRUCTION NOTES

COMPLIANCE INDEMNITY
The owner confirms that the land and the dwelling are not subject to Town Planning conditions and/or covenants which require the developer's and/or local authority approvals, and the owner indemnifies the builder and designer against any loss however sustained due to the owners failure to ensure compliance.
Owner/s: _____ Witness: _____ Date: 26/04/2026

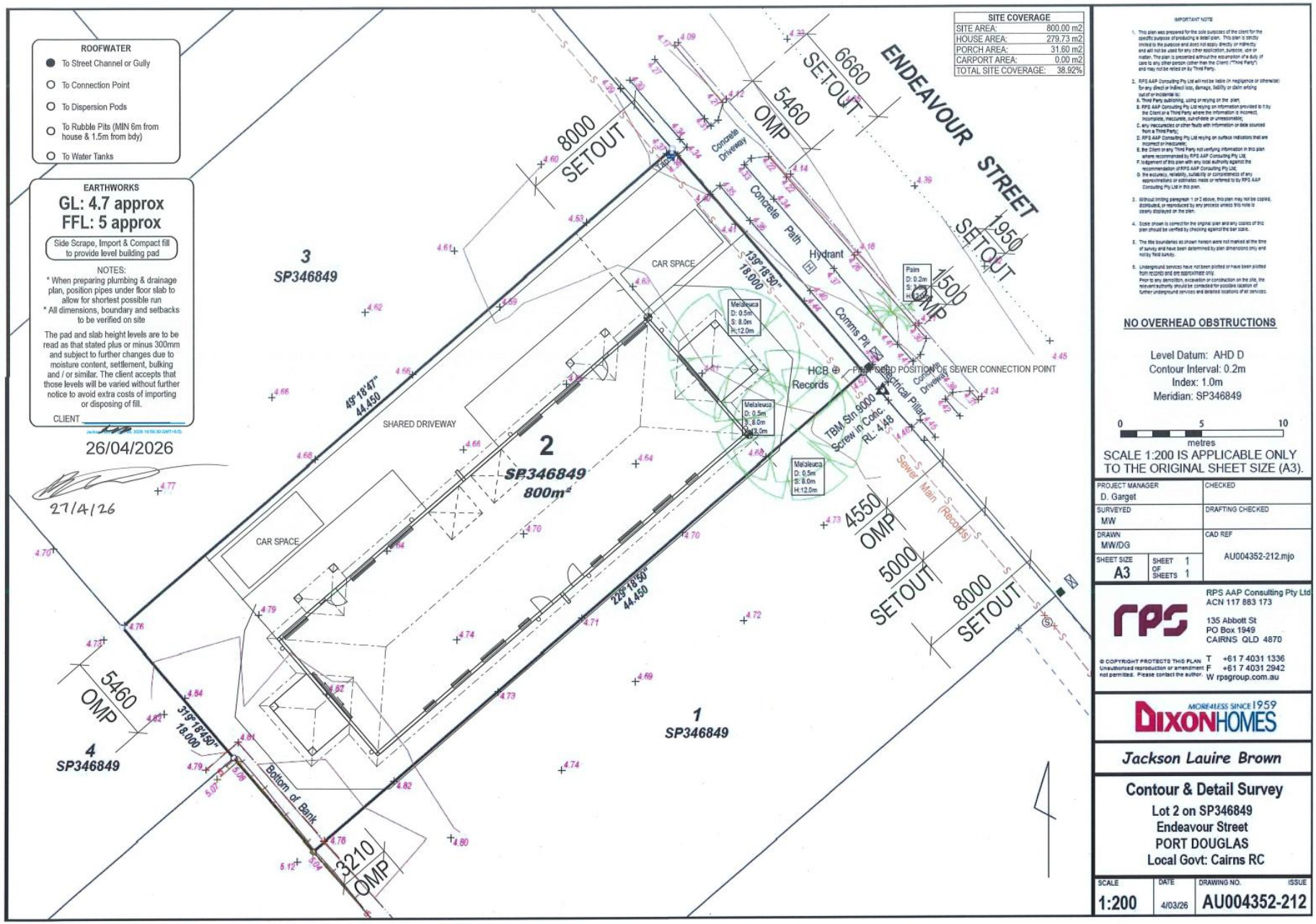
COVENANT APPROVAL
Developer/Agent: _____ Estate: _____
Signature: _____ Witness: _____ Date: __/__/__

Only sign if 100% correct. If not correct please contact your consultant.
CLIENT:- _____ DATE:- 26/04/2026
CLIENT:- _____
BUILDER:- _____ DATE:- 27/4/26
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ELEVATIONS
Home to 70,000 Australians
WWW.DIXONHOMES.COM.AU
1300 10 10 10
Admired since 1959

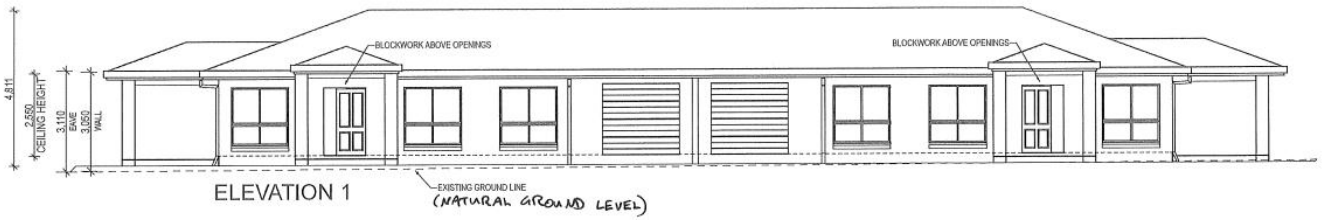
3868

Dixon Group (Q'land) Pty Ltd ATF Dixon Group (North) Unit Trust
DRAWN BY: dab 08/04/2026
Elevation FOR Carrington, Cairns
Carrington Homes

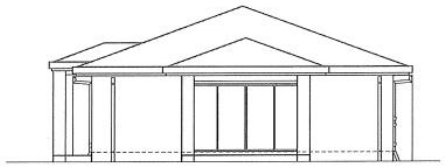

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To Street Channel or Gully
To Connection Point
To Dispersion Pods
To Rubble Pits (MIN 6m from house & 1.5m from bdy)
To Water Tanks
EARTHWORKS
GL: 4.7 approx
FFL: 5 approx
Side Scrape, Import & Compact fill to provide level building pad
NOTES:
* When preparing plumbing & drainage plan, position pipes under floor slab to allow for shortest possible run
* All dimensions, boundary and setbacks to be verified on site
The pad and slab height levels are to be read as that stated plus or minus 300mm and subject to further changes due to moisture content, settlement, bulking and / or similar. The client accepts that those levels will be varied without further notice to avoid extra costs of importing or disposing of fill.
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26/04/2026
27/4/26
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PORCH AREA: 31.60 m2
CARPORT AREA: 0.00 m2
TOTAL SITE COVERAGE: 38.92%
ENDEAVOUR STREET
6660 SETOUT
5460 OMP
8000 SETOUT
1950 SETOUT
1500 OMP
4550 OMP
5000 SETOUT
8000 SETOUT
3210 OMP
5460 OMP
3
SP346849
2
SP346849
800m²
1
SP346849
4
SP346849
CAR SPACE
SHARED DRIVEWAY
Concrete Driveway
Concrete Path
Hydrant
Comms Pit
Palm
Melaleuca
HCB
Records
PROPOSED POSITION OF SEWER CONNECTION POINT
Survey Control Pillar
TBM Sin 9000 Screw in Conc. RL: 4.48
Sewer Main (Records)
Bottom of Bank
45° 18' 47" 44.450
135° 18' 50" 18.000
225° 18' 50" 44.450
315° 18' 50" 18.000
NO OVERHEAD OBSTRUCTIONS
Level Datum: AHD D
Contour Interval: 0.2m
Index: 1.0m
Meridian: SP346849
0 5 10
metres
SCALE 1:200 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3).
PROJECT MANAGER D. Garget
CHECKED
SURVEYED MW
DRAFTING CHECKED
DRAWN MW/DG
CAD REF AU004352-212.mjo
SHEET SIZE A3
SHEET 1 OF SHEETS 1
RPS AAP Consulting Pty Ltd
ACN 117 883 173
135 Abbott St
PO Box 1949
CAIRNS QLD 4870
T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com.au
DIXON HOMES
Jackson Lauire Brown
Contour & Detail Survey
Lot 2 on SP346849
Endeavour Street
PORT DOUGLAS
Local Govt: Cairns RC
SCALE 1:200
DATE 4/03/26
DRAWING NO. AU004352-212
ISSUE

3868

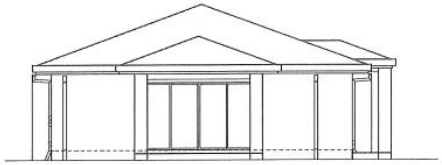
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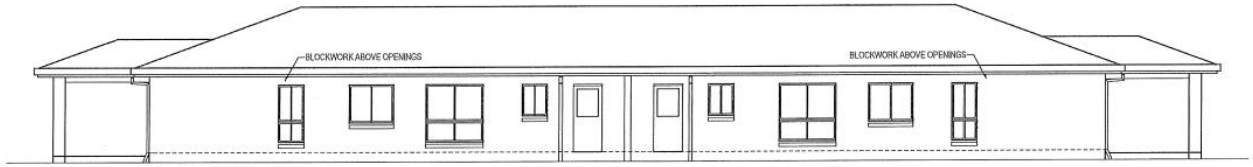
ELEVATION 1



ELEVATION 2



ELEVATION 4



ELEVATION 3

NOT TO SCALE UNLESS ON A2 PAGE

ARTICULATION JOINT SPACING: 5m

Home to 70,000 Australians
WWW.DIXONHOMES.COM.AU
1300 10 10 10
Admired since 1959

FLOOR AREA	279.73 M2	SCALE	1:100
PORCH/CARPORT AREA	31.60 M2	ROOF	Metal 20.1°
PATIO % OF FOOTPRINT	10.1%	EXT WALL	190 BLOCK
		CEILING HT	2550C/2800S
		WIND RATING	C2
JOB 3868		DR7402	

NOTE: WINDOWS AND DOORS SHOWN ARE STANDARD BLOCKS ONLY. FOR DETAIL ON PANEL SIZE & POSITION SEE CODES ON THE FLOOR PLAN. WINDOW SIZE AND STYLE ARE INDICATIVE ONLY AND MAY VARY DEPENDING ON SUPPLIER

Plan Dimensions/Errors and Omissions. Where inadvertent changes to the originally specified dimensions and/or spaces occur, the Owner(s) will only be entitled to compensation for consequential financial loss on a resale basis, as assessed by a registered valuer nominated by the Queensland Institute of Valuers and a refund for items charged for, but not incorporated in the Contract

J. BROWN
Lot 2 Endeavour Street, PORT DOUGLAS
QLD, 4877
RP. SP 346849 MAP REF.

Only sign if 100% correct. If not correct please contact your consultant.
CLIENT:- DATE:- 26/04/2026
CLIENT:-
BUILDER: DATE:- 27/4/26
NOT TO BE MODIFIED WITHOUT WRITTEN AUTHORITY

3868

Reasons for Decision

1. The reasons for this decision are:
   a. Sections 60, 62 and 63 of the *Planning Act 2016*:
   b. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
   c. 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 5 June 2026 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 Community Facilities 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. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Non-Compliance with Assessment Benchmarks

Benchmark Reference	Alternative Measure/Comment
Community Facilities Zone **The purpose of the zone is to provide for community related activities and facilities.**	The proposed development, while not a community activity. It has previously been established that there is no longer a need for community facilities to be developed on the land. The land currently has use rights for Dwelling house. The proposed dual occupancies are consistent with the intended nature of using the land for a residential development. The proposed development is in scale with surrounding development and is appropriately located for connection to Council's infrastructure services.
Dual occupancy code and Access, parking and servicing code. **Requirement for vehicles to leave in a forward gear.**	Under the standard drawing for residential development, dwelling houses can have a double vehicle crossover with both vehicles existing in a reverse gear. The proposed uncovered vehicle space to each of the front units can be located adjacent to the driveway servicing the remainder of the parking spaces with reverse turning out onto the street, providing suitably driver sightline visibility is achieved for these to spaces. As the reverse egress is only to the front parking space, the overall impact is the same as would be for a dwelling house.

Otherwise, the development complies with the planning scheme and no concerns are raised.

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

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(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), 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

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(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

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(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.

Notes—

1 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.

2 For the making of a change application for a development approval that was an SDA approval, see also the State Development Act, sections 85ZB, 85ZC and 85ZD.

(2) A change application must be made to the responsible entity for the application.

Extracts from the Planning Act 2016 – Appeal Rights

(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*

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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.

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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.

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(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

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(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—

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DOUGLAS SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

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

16 October 2026

Enquiries: Jenny Elphinstone
Our Ref: MCUI 2026_5953/1 (Doc ID: 1397054)
Your Ref:

Nathan Timothy Pidgeon and Jackson Laurie Brown
C/- McPeake Town Planning QLD Pty Ltd
PO Box 5829
CAIRNS QLD 4870

Email:

Attention Mr James McPeake

Dear Sir

Adopted Infrastructure Charge Notice
For Development Application Material Change of Use (Impact) for a Dual Occupancy on Each Lot at 8 and 8A Endeavour Street Port Douglas
On Land Described as Lots 1 and 2 on SP346849

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: MCUI 2026_5953/1 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

Team Leader Planning

encl.

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

Adopted Infrastructure Charges Notice

DOUGLAS SHIRE COUNCIL

2018 Douglas Shire Planning Scheme version 1.0 Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Nathan Timothy Pidgeon and Jackson Laurie Brown		**N/A**	**0**
DEVELOPERS NAME		ESTATE NAME	STAGE
8 and 8A Endeavour Street	**Port Douglas**	**Lots 1 and 2 on SP346849**	**158479 & 158480**
STREET No. & NAME	**SUBURB**	LOT & RP No.s	PARCEL No.
MCUI		**Dual Occupancy on each lot**	**6**
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
1373021	**1**	**Payment before commencement of use for MCU; and Prior to signing and sealing of survey form for ROL**	
DSC Reference Doc . No.	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							
Residential	Dual_occupancy	$_per_3_or_more_bedroom_dwelling	29,314.36	4	$117,257.44		
	Total Demand				**$117,257.44**		
Credit							
Existing land use							**Prior arrangement for online payment via invoicing - see below.**
Residential	Dwelling_house	$_per_3_or_more_bedroom_dwelling	29314.36	2	$58,628.72		
	Total Credit				**$58,628.72**		**Code 895 GL GL7500.135.825**
	Required Payment or Credit		**TOTAL**		**$58,628.72**		

Prepared by	**J Elphinstone**	**17-Jun-26**	**Amount Paid**		
Checked by	**R Taranto**	**16-Jul-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

Extracts from the Planning Act 2016 – Making Representations during Applicant's Appeal Period

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.

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(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.

(3) If the representations are not made within 20 business days after the notice is given, the balance of the appeal period restarts.

(4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, 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 125(7) and (8) in relation to other circumstances affecting the appeal period.

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Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

(1) This subdivision applies if—

(a) trunk infrastructure—

(i) has not been provided; or

(ii) has been provided but is not adequate; and

(b) the trunk infrastructure is or will be located on—

(i) premises (the ***subject premises***) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or

(ii) other premises, but is necessary to service the subject premises.

(2) Section 128 provides for the local government to be able to impose particular development conditions (each a ***necessary infrastructure condition***) on the development approval.

Note—

For imposing or amending development conditions in relation to an approval of a change application, see sections 81A(2)(a) and 82(3)(b).

128 Necessary infrastructure conditions

(1) If the LGIP identifies adequate trunk infrastructure to service the subject premises, the local government may impose a development condition requiring either or both of the following to be provided at a stated time—

(a) the identified infrastructure;

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Extracts from the Planning Act 2016 –Appeal Rights

(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*

Authorised by the Parliamentary Counsel

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.

Authorised by the Parliamentary Counsel

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.

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(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

Authorised by the Parliamentary Counsel

(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—

Authorised by the Parliamentary Counsel