

17 February 2026

Enquiries: Jenny Elphinstone
Our Ref: MCUC 2017_2159/1 (Doc ID 1349567)
Your Ref: Job No. 17-02-10

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

Mr Emanuel Solomovic
Architect
1/54 King Road
HORNSBY NSW 2077

Email: info@emanuelsolomovic.com.au

Dear Sir

**Development Application for Minor Change to the Material Change of Use for Home based Business and Dwelling House and an Extension of Currency Period
At 38 Snapper Island Drive Wonga Beach
On Land Described as Lot 3 on SP204460**

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

Please quote Council's application number: MCUC 2017_2159/1 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 Appeals (Decision Notice)



Decision Notice

Approval (with conditions)

Given under s 83 and s 87 of the Planning Act 2016

Applicant Details

Name: Emanuel Solomovic
Postal Address: 1/54 King Road
Hornsby NSW 2077
Email: info@emanuelsolomovic.com.au

Property Details

Street Address: 38 Snapper Island Drive Wonga Beach
Real Property Description: Lot 3 on SP204460
Local Government Area: Douglas Shire Council

Details of Proposed Development

Application for a minor change to the Development Permit for a Material Change of Use for Home Based Business (Bed & Breakfast) and to include the use of Dwelling-House and to extend the currency period for a further six (6) years up to and including 9 April 2032

Decision

Date of Decision: 17 February 2026

Decision Details: Approved whereby:

- A. 1. The use of the approval is changed to include the use of Dwelling-house;
2. The Approved Drawing(s) and/or Document(s) table is amended as follows.

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

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

Drawing or Document	Reference	Date
Site Plan	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-01, Revision € D	15 March 2018 <u>15 February 2026</u>

Drawing or Document	Reference	Date
Ground Floor	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-02, Revision C D.	12 February 2018 <u>15 February 2026</u>
Rain Water Harvesting Level	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-03, Revision C D.	15 March 2018 <u>15 February 2026</u>
Level 1	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-04, Revision C D.	15 March 2018 <u>15 February 2026</u>
Roof Plan	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-05, Revision C D.	15 March 2018 <u>15 February 2026</u>
North and South Elevations	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-06, Revision C D.	15 March 2018 <u>15 February 2026</u>
East and West Elevations	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-07, Revision C D.	15 March 2018 <u>15 February 2026</u>
Sections	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-08, Revision C D.	15 March 2018 <u>15 February 2026</u>
Landscape Plan	Space Landscape Designs, Project 181516, L-01 Revision B	16 February 2018
Landscape Elevation	Space Landscape Designs, Project 181516, L-02 Revision B	16 February 2018
Landscape Plant Schedule	Space Landscape Designs	As submitted to Council on 15 March 2018

Copy of the amended drawings are enclosed.

3. All other conditions of the Decision Notice dated 9 April 2018 remain unchanged.
- B. The currency period for the approval is extended for six (6) years up to and including 9 April 2032.

Existing Approval

Copy of the Existing Approval is attached.

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

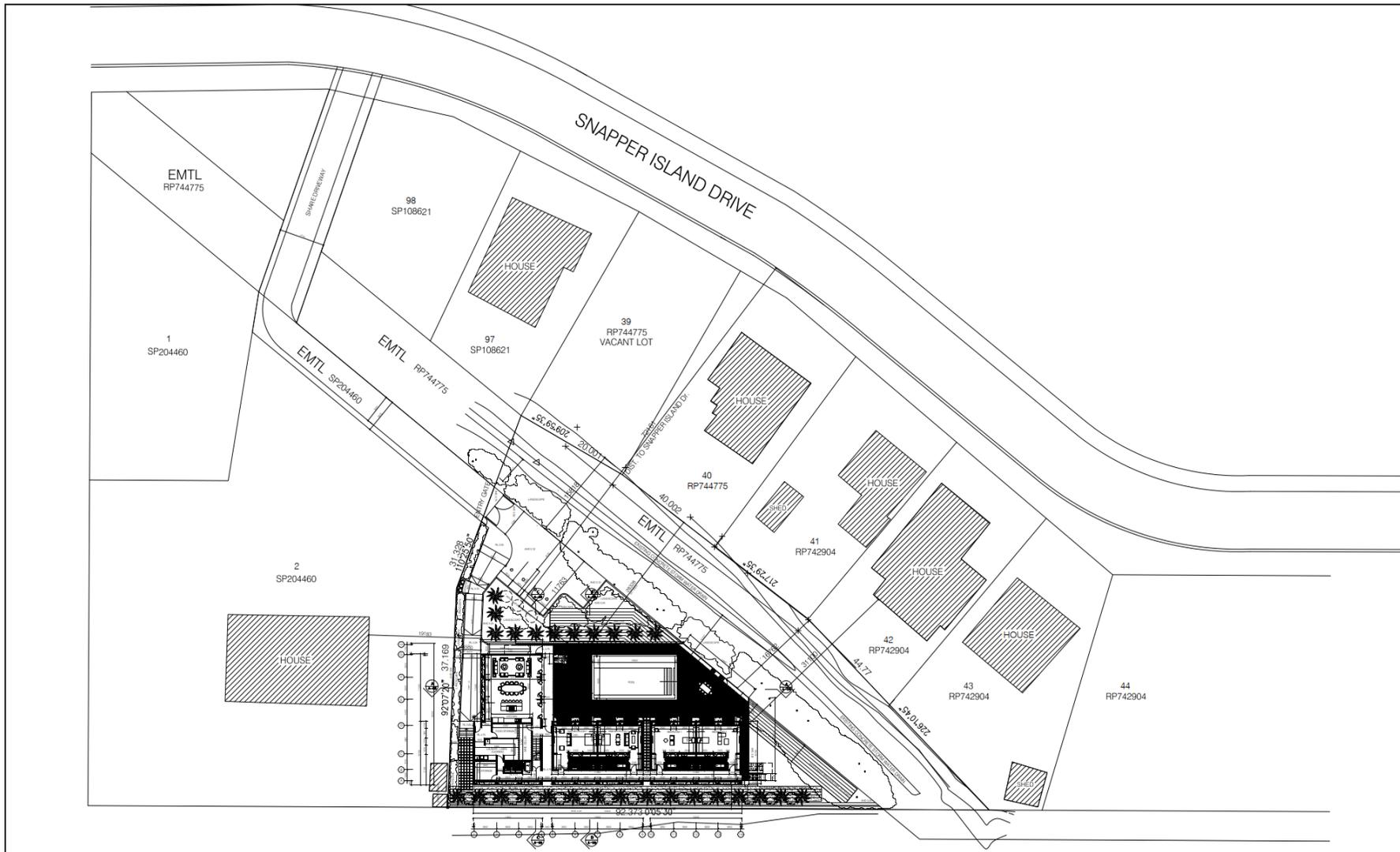
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse 9 April 2032 in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights of Appeal

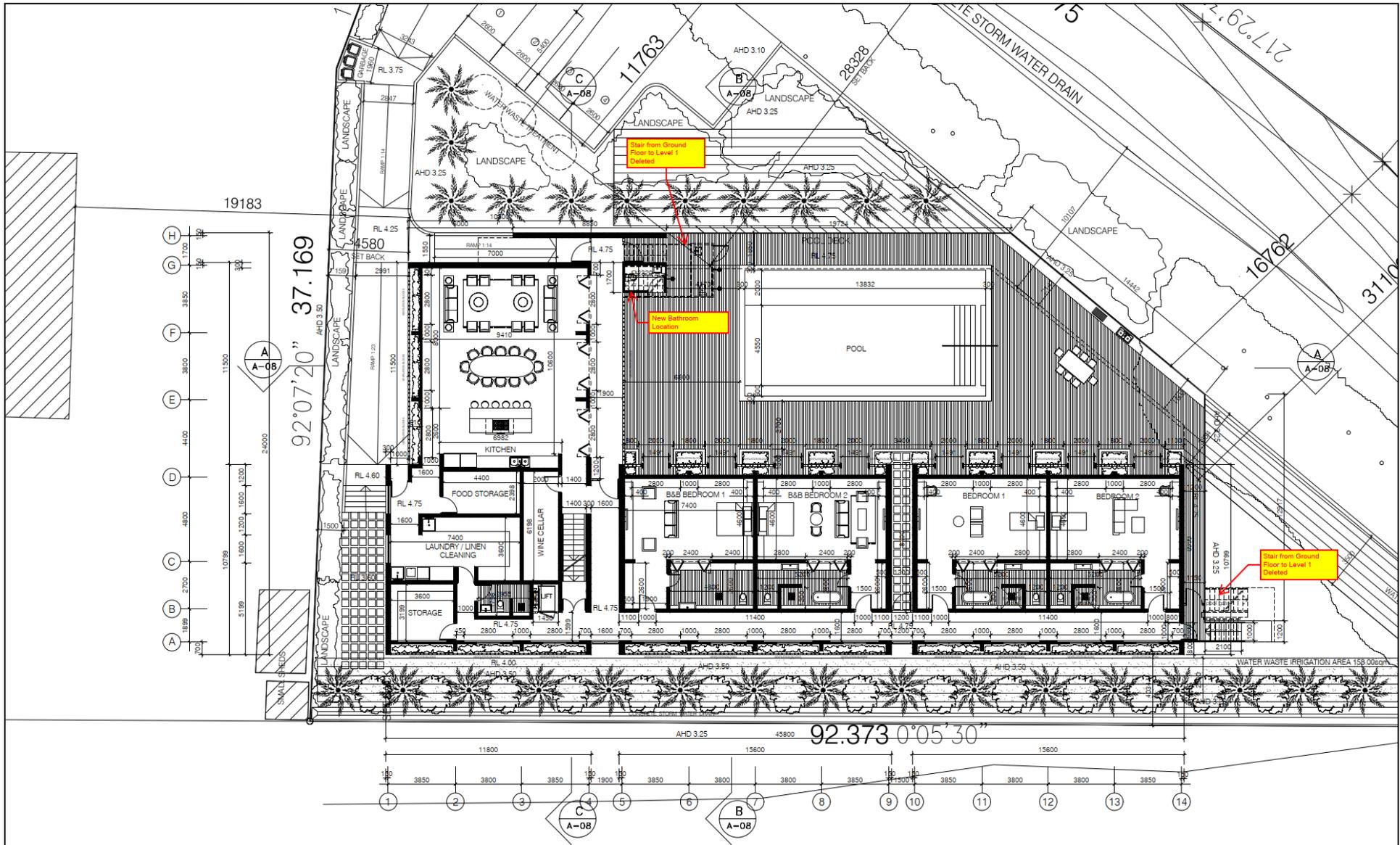
The rights of applicants to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions is attached.

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



<table border="1"> <tr> <th>DATE</th> <th>REV</th> <th>AMENDMENT</th> </tr> <tr> <td>15-02-26</td> <td>D</td> <td>ISSUE FOR SECTION 78 MINOR AMENDMENTS APPLICATION</td> </tr> <tr> <td>15-03-18</td> <td>C</td> <td>ISSUE FOR DEVELOPMENT APPLICATION</td> </tr> <tr> <td>12-09-17</td> <td>B</td> <td>ISSUE FOR DEVELOPMENT APPLICATION</td> </tr> <tr> <td>18-06-17</td> <td>A</td> <td>ISSUE FOR DEVELOPMENT APPLICATION</td> </tr> </table>		DATE	REV	AMENDMENT	15-02-26	D	ISSUE FOR SECTION 78 MINOR AMENDMENTS APPLICATION	15-03-18	C	ISSUE FOR DEVELOPMENT APPLICATION	12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION	18-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION	<p>EMANUEL SOLOMOVIC ARCHITECT <small>Architectural Professional Design & An Award Winning Building Council Australia Member of the Queensland Building and Construction Commission 100% Australian Registered Office No. 17168 NSW Fair Trading Design Practitioner Registration DEP 0081771 P. 01 437 389 201 www.emanuelsolomovic.com.au</small></p>	CLIENT: Raquel Solomovic	PROJECT: Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD	DRAWINGS: SITE PLAN			
DATE	REV	AMENDMENT																					
15-02-26	D	ISSUE FOR SECTION 78 MINOR AMENDMENTS APPLICATION																					
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12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION																					
18-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION																					
		SCALE: A1 / 1:300 DRAWN BY: ES CHECKED BY: ES PLOT DATE: 15-02-2026	NORTH 	JOB NO: 17-02-10	TYPE: DA	DWG NO: A-01	REV: D																

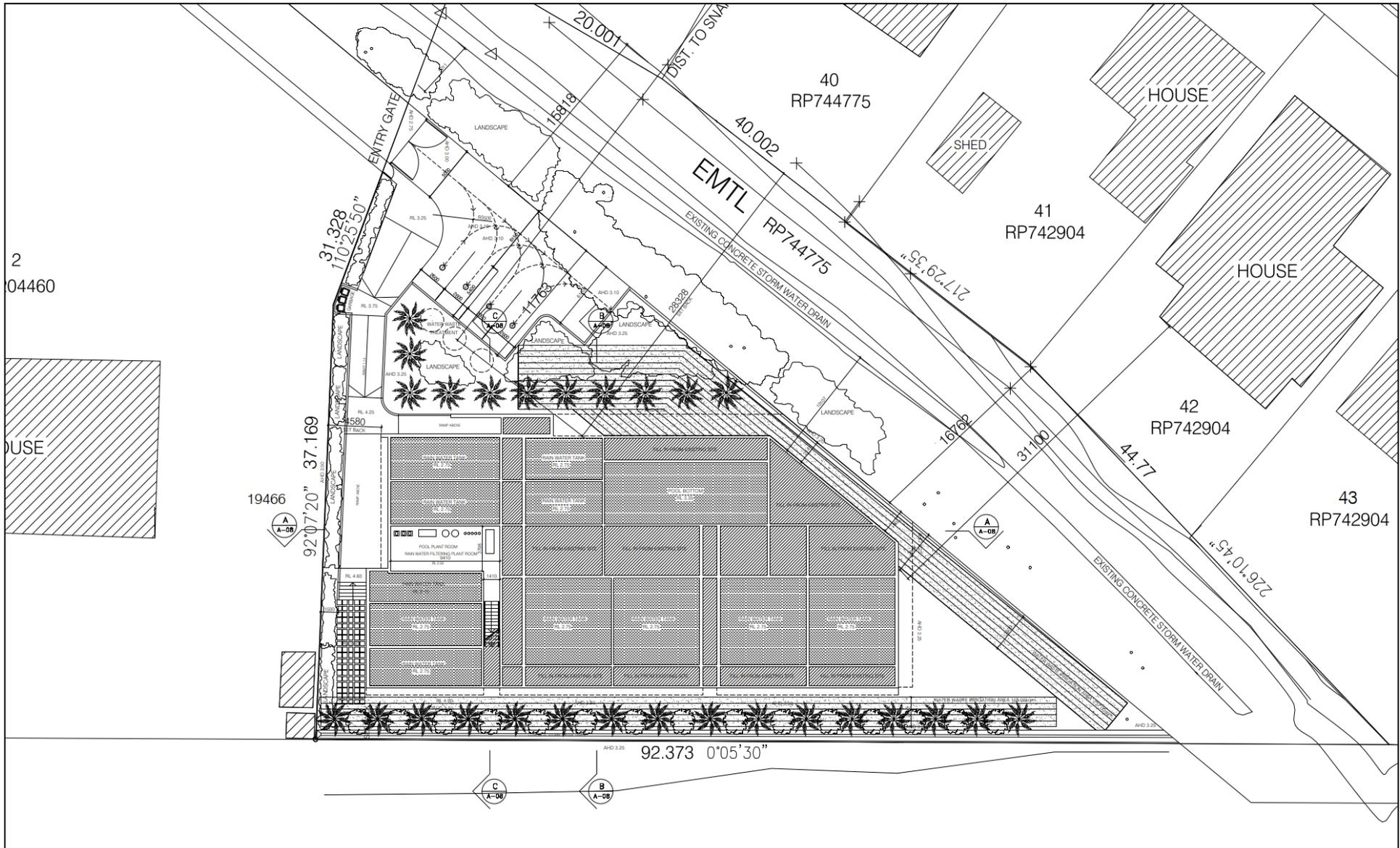


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12-02-18	C	ISSUE FOR DEVELOPMENT APPLICATION
12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION
18-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION

NOTE:
 NET AREA(footprint)620 sqm (covered)
 POOL DECK AREA 400 sqm (open sky)
 GFA 1020 sqm

EMANUEL SOLOMONOVIC ARCHITECT
 Green Star Accredited Professional
 Member of the Queensland Planning Council Australia
 Pastoral House Australia Member
 NSW Architects Registration Board No. 7154
 NSW Plan Trading Design Practitioner Registration DEP 988771
 Tel: +61 (0) 433 288 283
 E: info@emanuelsolomonovic.com.au

Raquel Solomonovic	CLIENT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD			
	DRAWINGS:	Ground Floor			
	SCALE:	A1 / 1:100	NORTH	JOB NO:	17-02-10
CHECKED BY:	ES	TYPE:	DA	DWG NO:	A-02
PLOT DATE:	15 FEB 26	REV:		D	

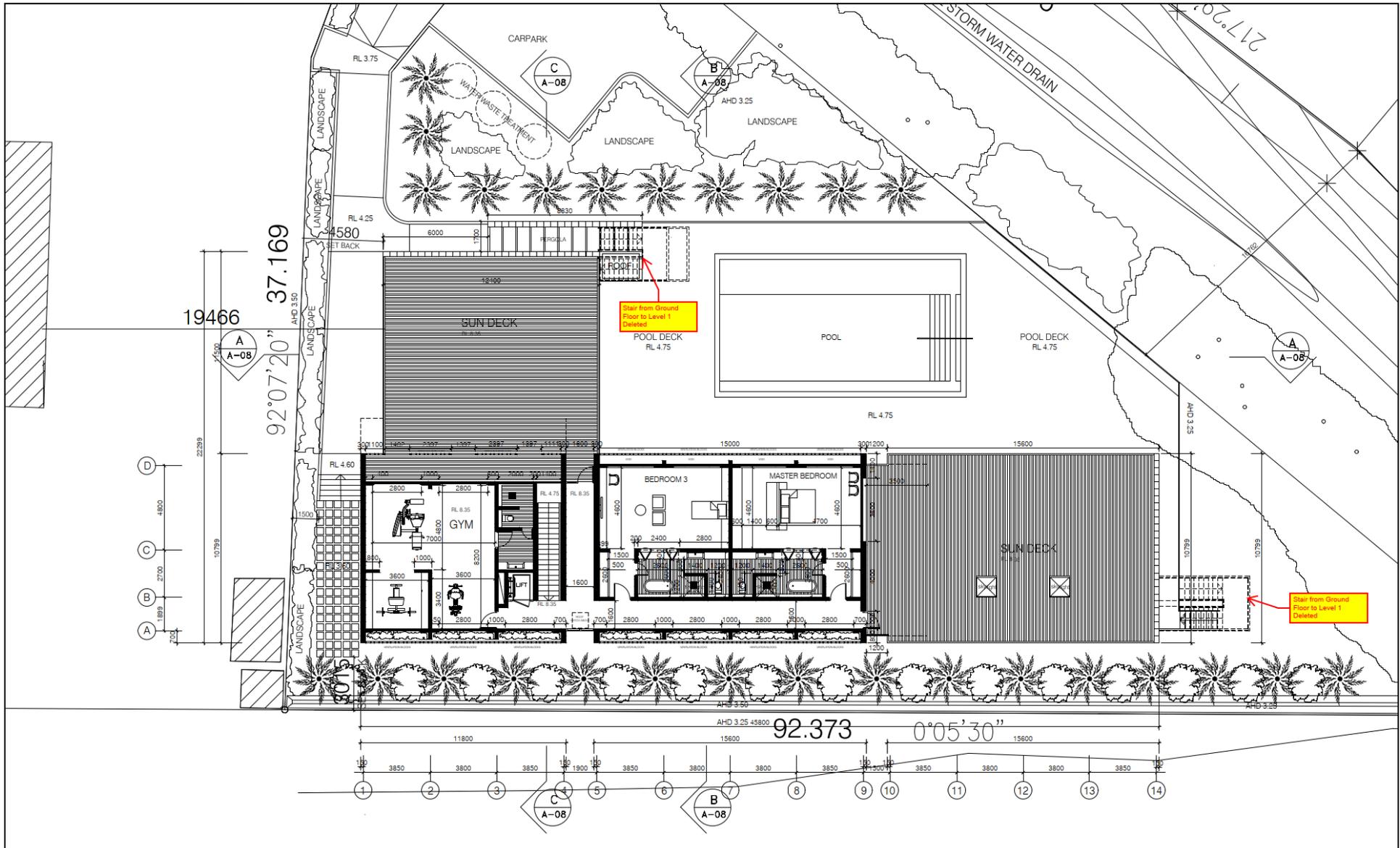


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NOTE:

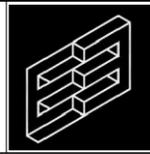
EMANUEL SOLOMOVIC ARCHITECT
 Green Star Accredited Professional
 Design & Build Green Building Council Australia
 Practice House Australia Member
 NSW Architects Registration Board No. 7154
 NSW Fair Trading Design Practitioner Registration DEP 0001771
 Ph +61 (0) 433 288 281
 E: info@emanuelsolomovic.com.au

CLIENT:	Raquel Solomovic				
PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
DRAWINGS:	Rain Water Harvesting Level				
SCALE:	A1 / 1:150	NORTH	JOB NO:	TYPE:	DWG NO:
DRAWN BY:	ES		17-02-10	DA	A-03
CHECKED BY:	ES				
PLOT DATE:	15-02-2026				D



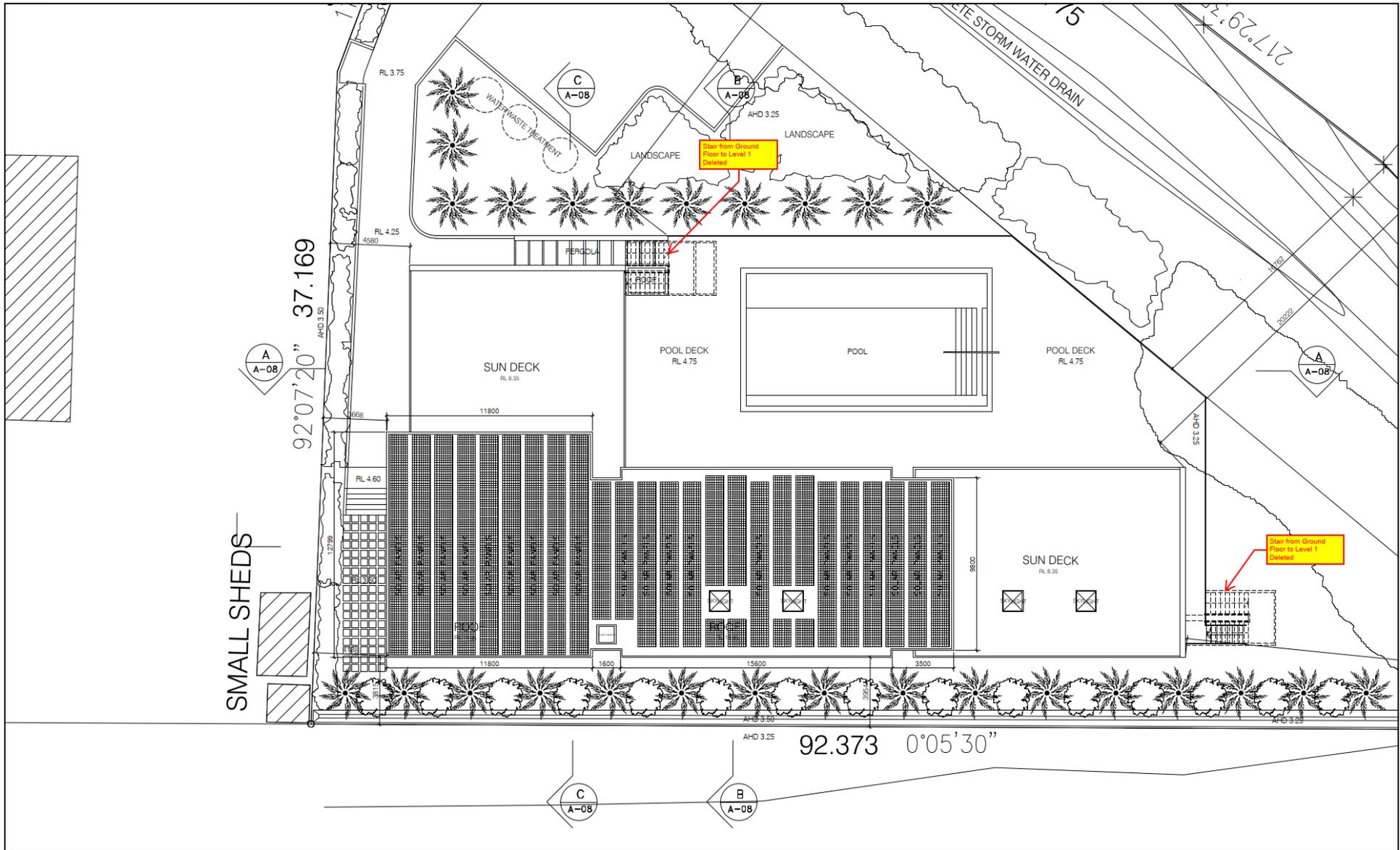
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NOTE:	
NET AREA	270sqm (covered)
SUN DECK	325 sqm (open sky)
GFA	595 sqm



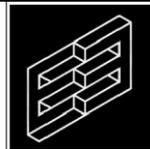
EMANUEL SOLOMOVIC ARCHITECT
 Green Star Accredited Professional
 Design & Build Group Building - Council Australia
 Practice House Australia Member
 NSW Architects Registration Board No. 7154
 NSW Fair Trading Design Practitioner Registration DEP 989771
 Tel: +61 (0) 423 289 283
 E: info@emanuelsolomovic.com.au

Raquel Solomovic	CLIENT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
	PROJECT:	Level 1				
	DRAWINGS:	Level 1				
SCALE:	A1 / 1:100	NORTH	JOB NO:	TYPE:	DWG NO:	REV:
CHECKED BY:	ES		17-02-10	DA	A-04	D
PLOT DATE:	15-02-2026					



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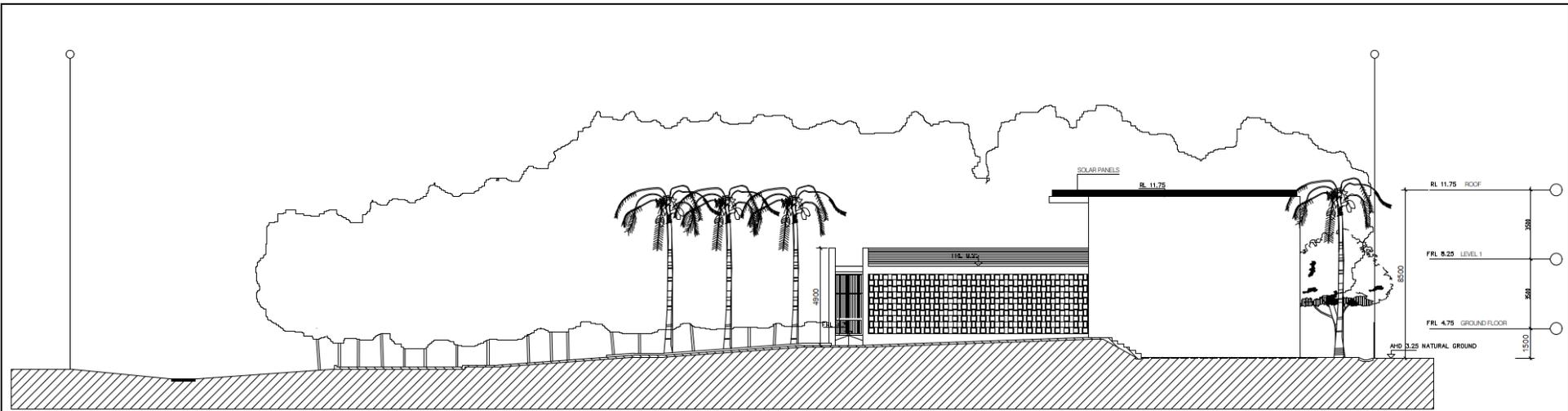
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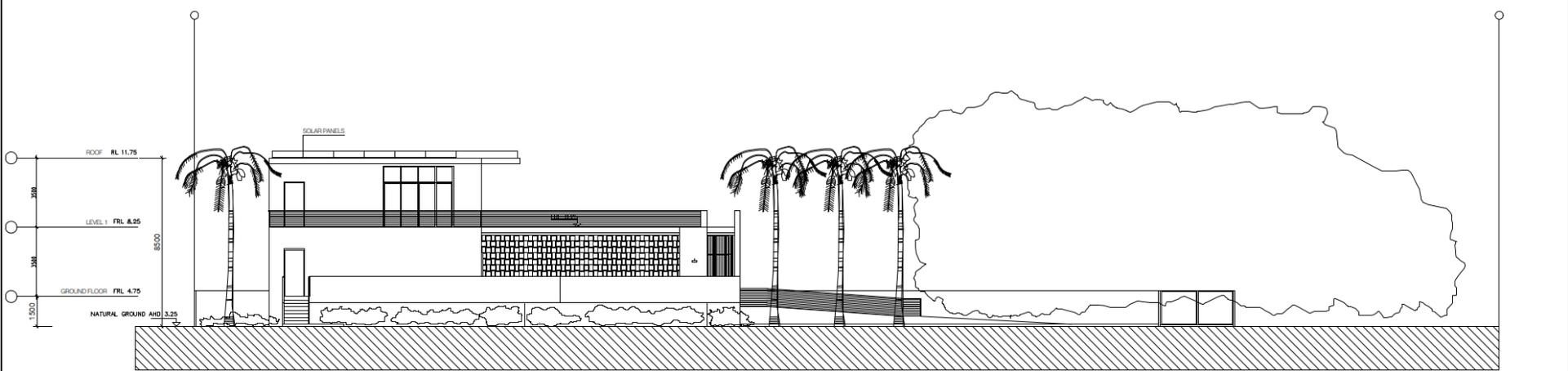
EMANUEL SOLOMOVIC ARCHITECT
 Queensland Architectural Practitioner
 Design & Build Group Building Council Australia
 Practice House Australia Member
 NSW Architects Registration Board No. 7154
 NSW Fair Trading Design Practitioner Registration DEP 989771
 M: +61 (0) 423 288 243
 E: info@emanuelsolomovic.com.au

CLIENT:
Raquel Solomonovic

PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
DRAWINGS:	Roof Plan				
SCALE:	A1 / 1:100	NORTH	JOB NO:	TYPE:	DWG NO:
DRAWN BY:	ES		17-02-10	DA	A-05
CHECKED BY:	ES				
PLOT DATE:	15-02-2026				REV:
					D



NORTH ELEVATION



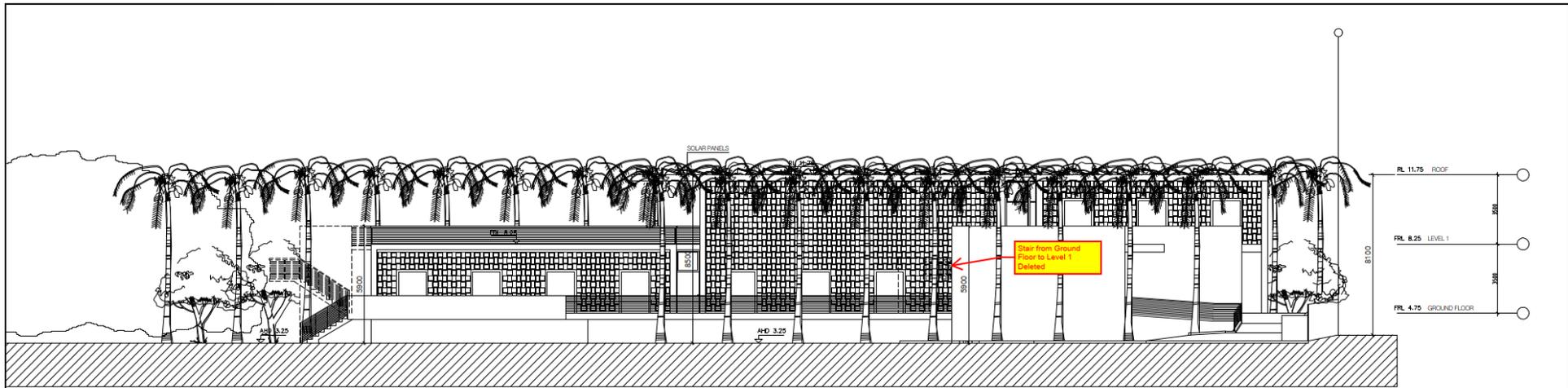
SOUTH ELEVATION

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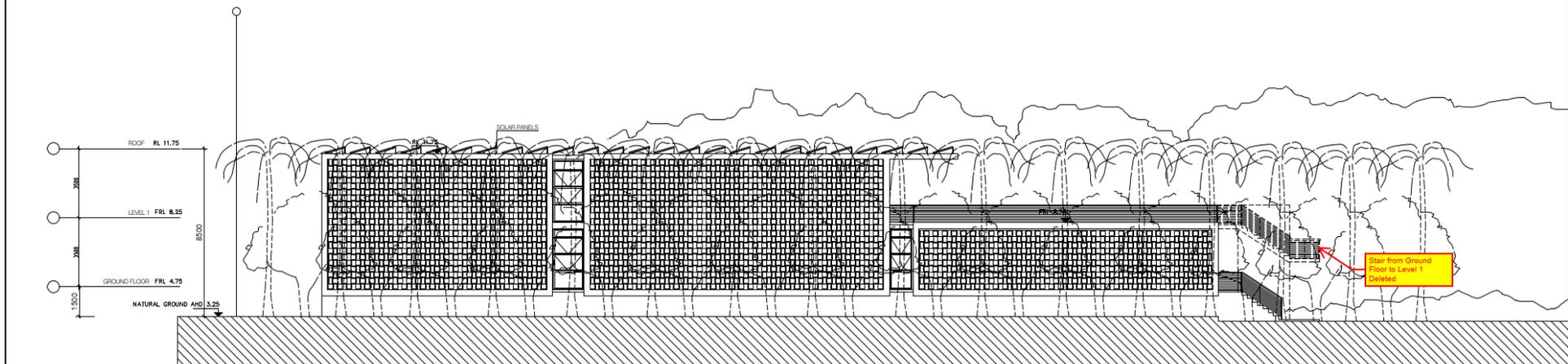
NOTE:

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 Green Star Accredited Professional
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 M: +61 (0) 423 289 263
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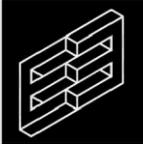
CLIENT:	Raquel Solomovic				
PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
DRAWINGS:	North Elevation South Elevation				
SCALE:	A1 / 1:100	NORTH	JOB NO:	TYPE:	DWG NO:
DRAWN BY:	ES		17-02-10	DA	A-06
CHECKED BY:	ES				D
PLOT DATE:	15-02-2026				

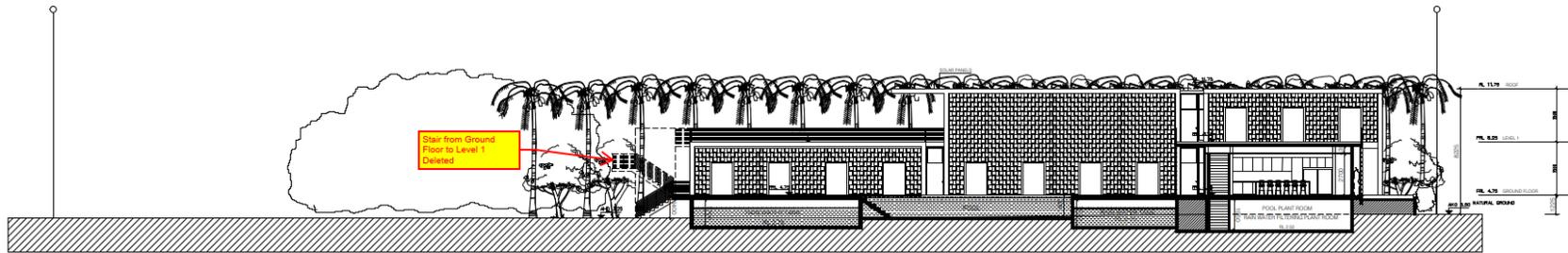


EAST ELEVATION

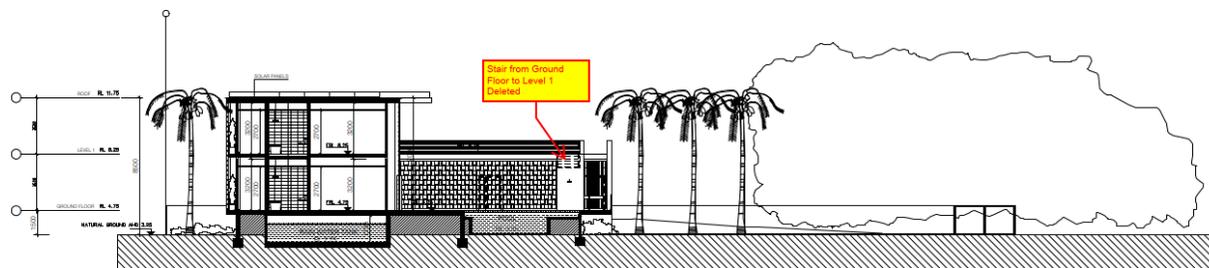


WEST ELEVATION

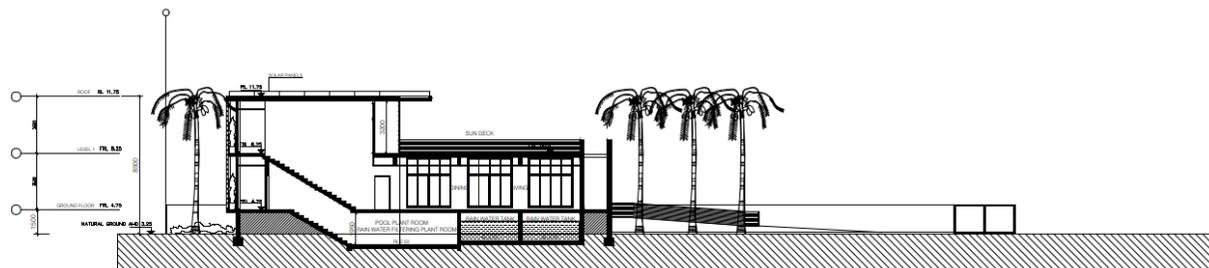
		NOTE:			CLIENT:	PROJECT: Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD						
			 EMANUEL SOLOMOVIC ARCHITECT <small>Green Star Accredited Professional Design & Build Green Building Council Australia Practice House Australia Member NSW Architects Registration Board No. 7154 NSW Fair Trading Design Practitioner Registration DEP 000771 M: +61 (0) 422 288 283 E: info@emanuelsolomovic.com.au</small>		DRAWINGS: East Elevation West Elevation		SCALE: A1 / 1:100	NORTH	JOB NO:	TYPE:	DWG NO:	REV:
15-02-26	D	ISSUE FOR SECTION 78 MINOR AMENDMENTS APPLICATION			Raquel Solomovic		DRAWN BY: ES		17-02-10	DA	A-07	D
15-03-18	C	ISSUE FOR DEVELOPMENT APPLICATION			CHECKED BY: ES							
12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION			PLOT DATE: 15-02-2026							
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DATE	REV	AMENDMENT										



SECTION A A



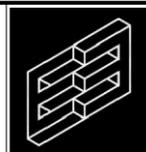
SECTION B B



SECTION C C

DATE	REV	AMENDMENT
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NOTE:



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 Green Star Accredited Professional
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 Practice Holder Australia Member
 NSW Architects Registration Board No. 7154
 NSW Fair Trading Design Practitioner Registration DEP 0887771
 M: +61 (0) 433 288 283
 E: info@emanuelsolomovic.com.au

CLIENT:	Raquel Solomovic				
PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
DRAWINGS:	Sections A A B B C C				
SCALE:	A1 / 1:100	NORTH	JOB NO:	TYPE:	DWG NO:
DRAWN BY:	ES		17-02-10	DA	A-08
CHECKED BY:	ES				
PLOT DATE:	15-02-2026				REV: D

Existing Approval

YOUR REF: 4903/01 L-EC1917
OUR REF: MCUC 2159/2018 (Doc ID 849387)

9 April 2018

Emanuel Solomovic
C/- Flanagan Consulting Group
PO Box 5820
CAIRNS QLD 4870

Attention: Ms Erin Campbell erin@flanaganconsulting.com.au

Dear Madam

**DECISION NOTICE UNDER S 288 *PLANNING ACT 2016* AND
S 335 *SUSTAINABLE PLANNING ACT 2009* DEVELOPMENT
APPLICATION FOR 38 SNAPPER ISLAND DRIVE WONGA BEACH**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 9 April 2018, please find attached the relevant Decision Notice.

The Notice includes extracts from the *Sustainable Planning Act 2009* with respect to making representations about conditions, negotiated decisions and extracts from the *Planning Act 2016* regarding suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att – Decision Notice

cc – emanuelso@hotmail.com

43.2017.2159
1/26 (Doc ID 849387)

**DECISION NOTICE
S 288 PLANNING ACT 2016 AND
S 335 SUSTAINABLE PLANNING ACT 2009**

APPLICANT DETAILS

Emanuel Solomovic
C/- Flanagan Consulting Group
PO Box 5820
CAIRNS QLD 4870

ADDRESS

38 Snapper Island Drive, Wonga Beach

REAL PROPERTY DESCRIPTION

Lot 3 on SP204460 and Easement L on RP744755

PROPOSAL

Home Based Business (Bed & Breakfast)

DECISION

Approved subject to conditions (refer to approval package below).

DECISION DATE

9 April 2018

TYPE

Material Change of Use (Development Permit).

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

Not applicable. No part of the application required public notification.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building Work.

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION
TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING
SCHEME, STATE PLANNING POLICIES OR PRIORITY
INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF
REASONS)**

Not in conflict

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

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

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Level 1	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-04, Revision C	15 March 2018
Roof Plan	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-05, Revision C	15 March 2018
North and South Elevations	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-06, Revision C	15 March 2018
East and West Elevations	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-07, Revision C	15 March 2018
Sections	Emanuel Solomovic Architect, Job 17-02-10 DA Drawing A-08, Revision C	15 March 2018
Landscape Plan	Space Landscape Designs, Project 181516, L-01 Revision B	16 February 2018
Landscape Elevation	Space Landscape Designs, Project 181516, L-02 Revision B	16 February 2018
Landscape Plant Schedule	Space Landscape Designs	As submitted to Council on 15 March 2018

ASSESSMENT MANAGER CONDITIONS

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;
 - 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.

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

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.

Vehicle Parking

3. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of two (2) spaces, in addition to the car parking provide for the Dwelling House. All parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

Advertising Signage

4. Advertising signage is limited to one non-illuminated sign:
 - a. no greater than 1.0 metre in length and 0.3 metres in width;
 - b. no higher than 1.5 metres in height;
 - c. displaying the occupier's name, business, hours of operation and contact details only; and
 - d. is only position on the front yard of the land.

Operators

5. The use is only to be conducted by a resident or residents of the premises and up to a maximum of two non-resident employees on site at any one time.

Use

6. The Home Based Business (Bed and Breakfast) is limited to two (2) bedrooms and a maximum total of four (4) beds within the bedrooms. The occupancy of the Bed and Breakfast rooms is limited to a maximum stay of fourteen (14) consecutive nights.

On-Site Effluent Disposal

7. 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.

Protection of Landscaped Areas from Parking

8. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Stockpiling and Transportation of Fill Material

9. Soil used for filling or spoil from the excavation is 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.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times;
- b. before 7:00 am or after 6:00 pm Monday to Friday;
- c. before 7:00 am or after 1:00 pm Saturdays; or
- d. on Sundays or Public Holidays.

43.2017.2159
4/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

Landscaping Plan

10. The site must be landscaped in accordance with details included on a Landscaping Plan. The completion of all landscaping works must be undertaken in accordance with the landscape plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Lawful Point of Discharge

11. 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.

Minimum Fill and Floor Levels

12. All floor levels in all buildings must be located 300mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

FURTHER ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009* and the *Planning Act 2016* and the, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of section 339 and section 341 of the *Sustainable Planning Act 2009* and section 85 of the *Planning Act 2016*.
2. The onsite wastewater disposal areas under the Plumbing approval must be consistent with the areas available under the Development Permit. Car parking and driveway access areas cannot be utilised as disposal areas.
3. 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.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. For information relating to the *Sustainable Planning Act 2009* and the *Planning Act 2016* log on to www.dsdmip.qld.gov.au/ . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

LAND USE DEFINITIONS

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Home Based Business is defined as:

Home Based Business

Means the use of a House and its surrounds, or an ancillary Building on the lot containing the House, by the permanent resident/s of the House for the conduct of a business, commercial or professional enterprise which is not industry based.

The use includes the provision of accommodation to tourists or travellers, commonly described as:

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

- Bed and Breakfast Accommodation – any premises used or intended for use as tourist accommodation which provides breakfast and overnight accommodation, which is not self contained.

OR

- Forest Stay Accommodation – any premises used or intended for use as tourist accommodation which is not self contained and which operates in association with organised tours of the natural and/or rehabilitated forest environment on the same site and includes some staff accommodation on site for employees.

OR

- Host Farm Accommodation – any premises used or intended for use as tourist accommodation, which is not self contained, and which operates in conjunction with a Primary Industry.

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

RIGHTS OF APPEAL

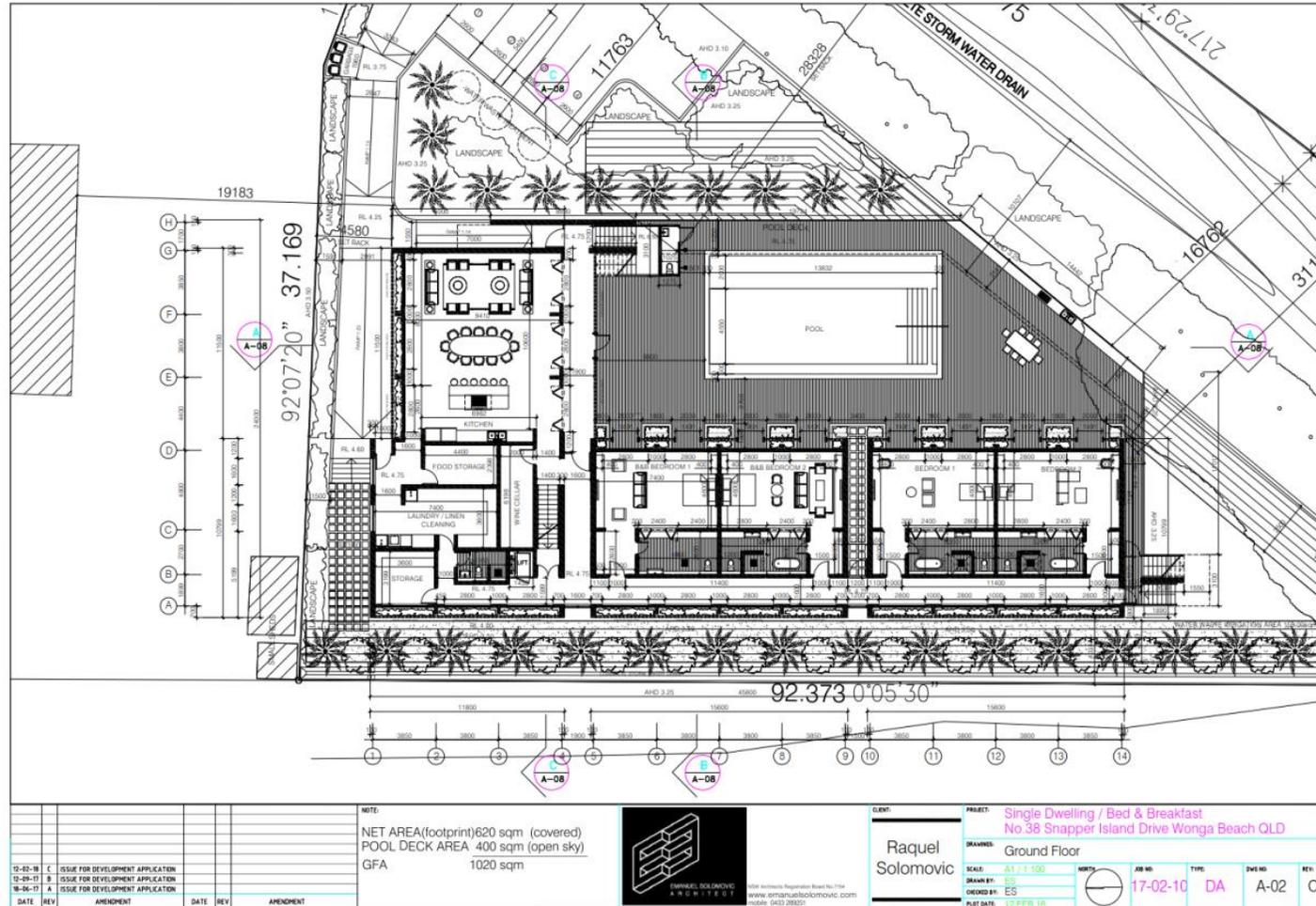
Attached

End of Decision Notice

43.2017.2159
6/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)



DATE	REV	AMENDMENT	DATE	REV	AMENDMENT
12-22-18	C	ISSUE FOR DEVELOPMENT APPLICATION			
12-29-17	B	ISSUE FOR DEVELOPMENT APPLICATION			
10-26-17	A	ISSUE FOR DEVELOPMENT APPLICATION			

NOTE:
 NET AREA(footprint)620 sqm (covered)
 POOL DECK AREA 400 sqm (open sky)
 GFA 1020 sqm



CLIENT:	PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD			
DRAWN BY:	SCALE:	Ground Floor			
DESIGNED BY:	SCALE:	A1 / 1:100	NORTH	DATE:	17-02-10
DATE:	12/FEB/16	TYPE:	DA	DWG NO:	A-02
		REV:			C

43.2017.2159
 7/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



DATE	REV	AMENDMENT	DATE	REV	AMENDMENT
15-03-18	C	ISSUE FOR DEVELOPMENT APPLICATION			
12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION			
18-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION			

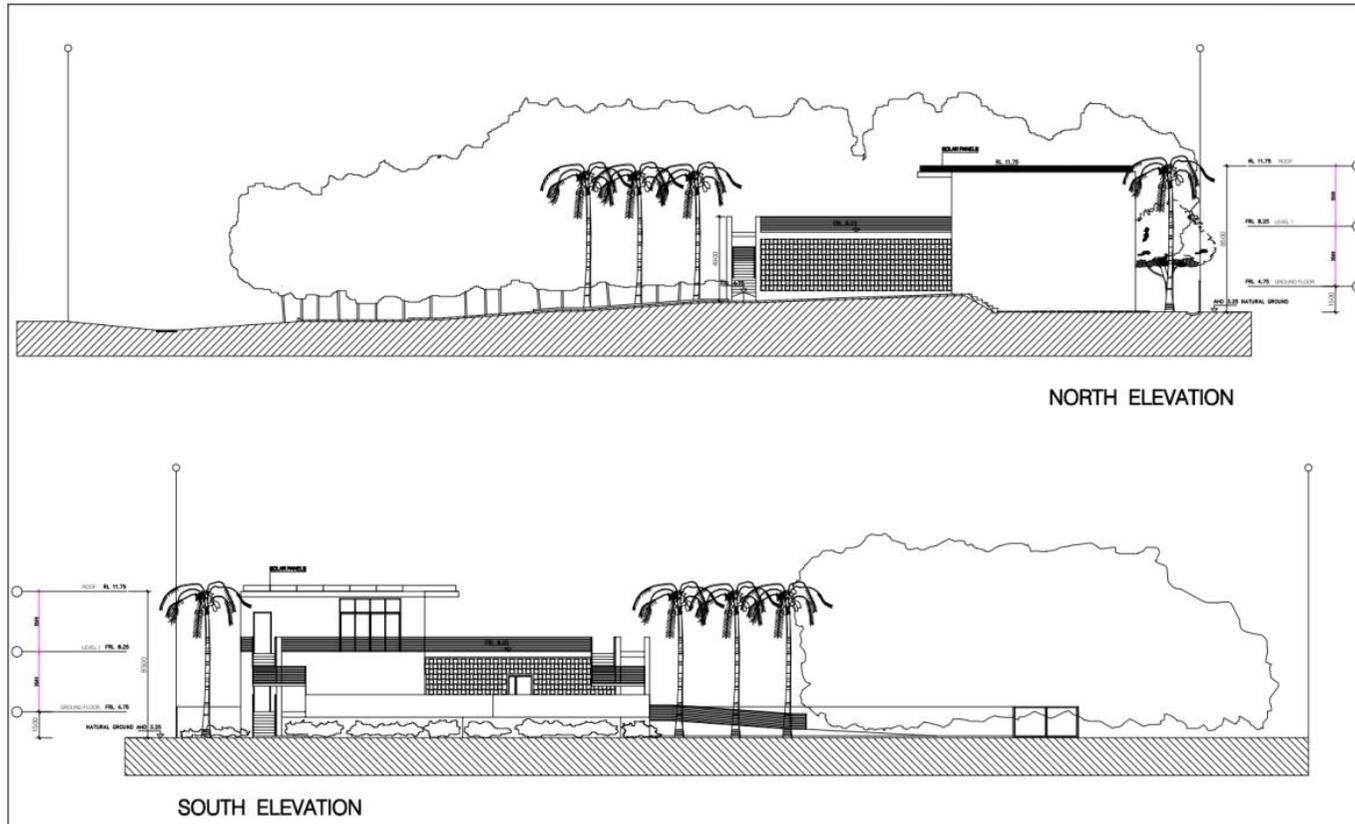
NOTE



CLIENT:	PROJECT: Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
DRASING:	Roof Plan				
SCALE:	1:1	1:100	METH:	JOB NO:	TYPE:
DRAN BY:	ES			17-02-10	DA
CHECKED BY:	ES				
PLAT DATE:	15-03-2018				
				DWG NO:	REV:
				A-05	C

43.2017.2159
 10/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



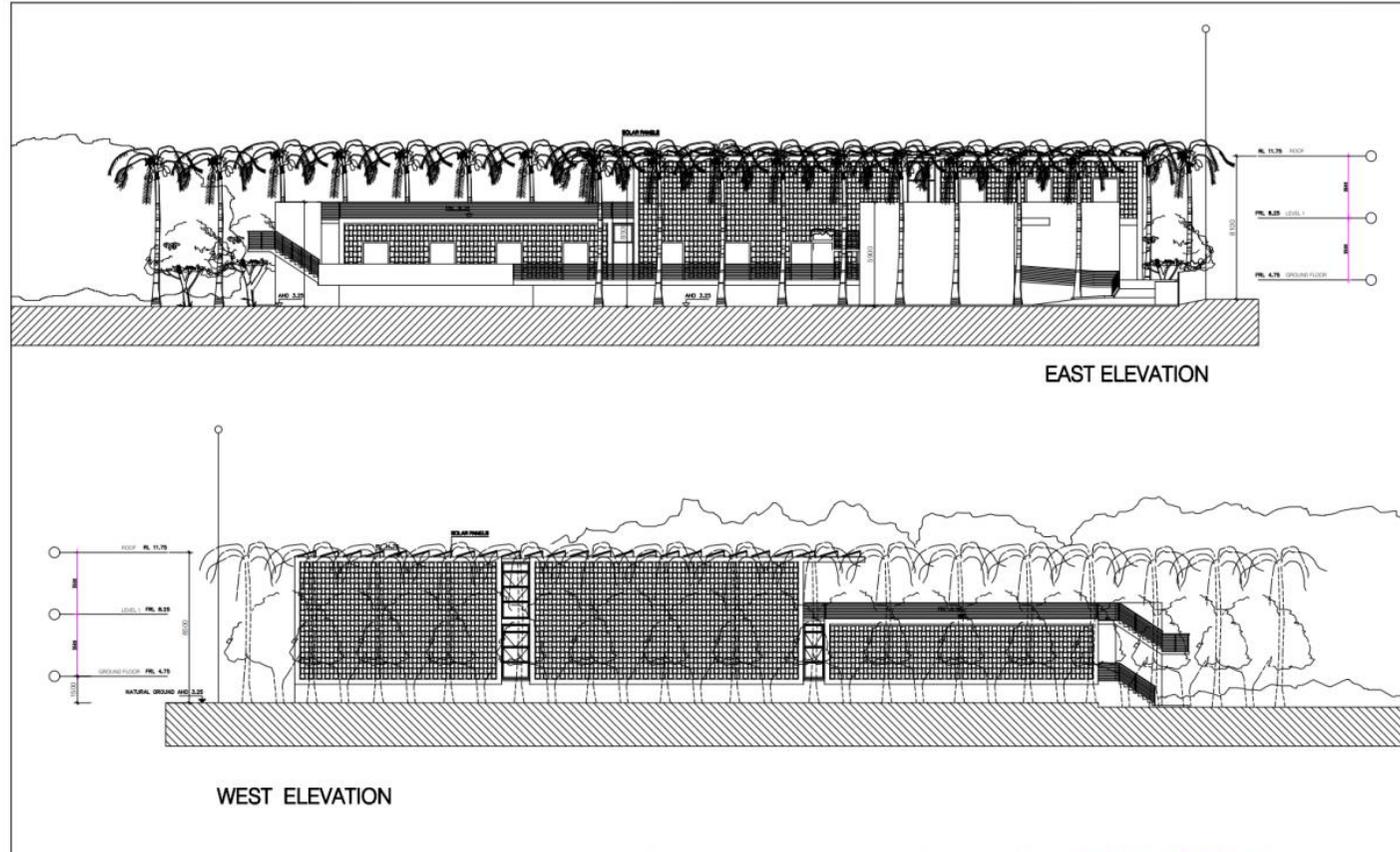
NORTH ELEVATION

SOUTH ELEVATION

					NOTE			CLIENT	PROJECT: Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD				
								Raquel Solomovic	DRAWING: North Elevation South Elevation				
								SCALE: 1:100	NORTH	JOB NO:	TYPE:	DWG NO:	REV:
								DRAWN BY: ES		17-02-10	DA	A-06	C
								CHECKED BY:					
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43.2017.2159
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DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



DATE	REV	AMENDMENT	DATE	REV	AMENDMENT
15-03-18	C	ISSUE FOR DEVELOPMENT APPLICATION			
12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION			
18-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION			

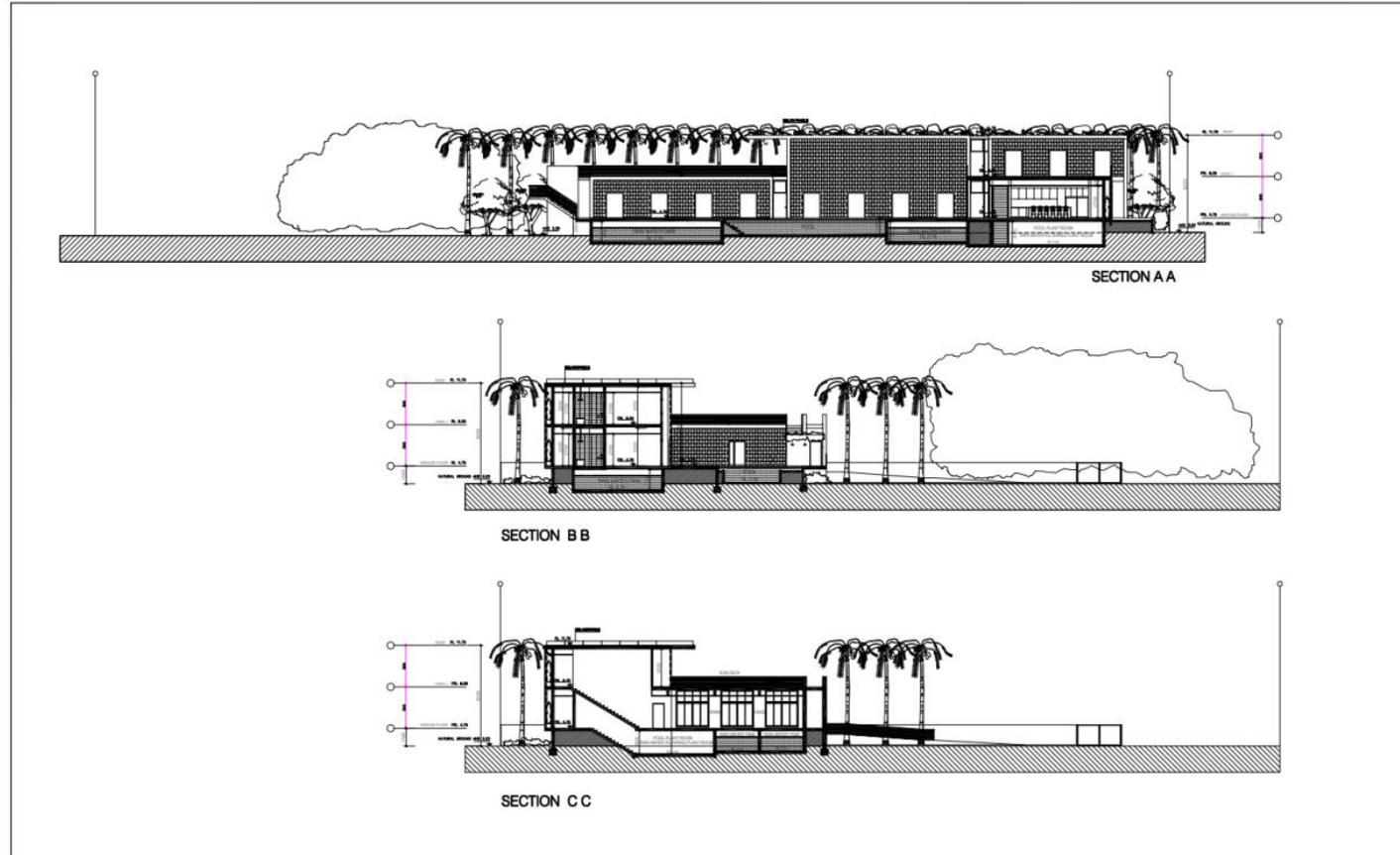
NOTE:



CLIENT:	PROJECT:	Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD			
DRAWING:	East Elevation	West Elevation			
SCALE:	A1 / 1:100	DATE:	17-02-10	TYPE:	DA
DRAWN BY:	ES	DWG NO.:	A-07	REV:	C
CHECKED BY:	ES	PLT DATE:	15-03-2018		

43.2017.2159
 12/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



						NOTE						CLIENT: Raquel Solomovic PROJECT: Single Dwelling / Bed & Breakfast No.38 Snapper Island Drive Wonga Beach QLD	
										DRAWN: Sections A A B B C C SCALE: A1 / 1:100 NORTH DRAWN BY: ES CHECKED BY: ES PLOT DATE: 16-03-2016		JOB NO: 17-02-10 TYPE: DA DWG NO: A-08 REV: C	
15-03-16	C	ISSUE FOR DEVELOPMENT APPLICATION											
12-09-17	B	ISSUE FOR DEVELOPMENT APPLICATION											
08-06-17	A	ISSUE FOR DEVELOPMENT APPLICATION											
DATE	REV	AMENDMENT	DATE	REV	AMENDMENT								

43.2017.2159
 13/26 (Doc ID 849387)

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



PROPOSED PLANT SCHEDULE

REF	REFERRAL NAME	COMMON NAME	QTY	UNITS	EST. COST
01	TABLES / PALMS	TABLES (2) PALMS	2	sq	450
02	RECYCLED CONCRETE CURBING	RECYCLED CONCRETE CURBING	1	sq	450
03	RECYCLED CONCRETE CURBING	RECYCLED CONCRETE CURBING	1	sq	450
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43.2017.2159
 14/26 (Doc ID 849387)

SPACE
 LANDSCAPE DESIGN

Project: 43.2017.2159
 38 Snapper Island Drive
 Wonga Beach QLD

Client: A ERM
 Date: 14/02/2019
 Scale: 1:500
 Drawing: L-01

LANDSCAPE PLAN
 L-01

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009

S P A C E
LANDSCAPE DESIGNS

Name: R. Solomovic
Address: Wonga Beach



ARCHONTOPHOENIX CUNNINGHAMIANA



BACKHOUSIA CITRIODORA



CYATHEA AUSTRALIS



MAGNOLIA GRANDIFLORA 'LITTLE GEM'



ROYSTONEA REGIA



WODYETIA BIFURCATA



ALPINIA CAERULEA 'RED BACK'



CALLISTEMON VIMALIS 'MACARTHUR'



CORDYLIN FRUTICOSA 'RUBRA'

DECISION NOTICE DETAILS
PLANNING ACT 2016
SUSTAINABLE PLANNING ACT 2009



GRAPTOPHYLLUM ILICIFOLIUM



IXORA 'CORAL FIRE'



IXORA 'DWARF ORANGE'



IXORA CHINENSIS 'PIRATES GOLD'



NANDINA 'GULF STREAM'



PHILODENDRON 'XANADU'



SYZYGIIUM LUEHMANNII



STRELITZIA REGINAE



THYSANOLAENA MAXIMA

43.2017.2159
17/26 (Doc ID 849387)

ATTACHMENT – RIGHTS TO MAKE REPRESENTATIONS, SUSPEND APPEAL, AND RIGHTS TO APPEAL

Sustainable Planning Act 2009
Chapter 6 Integrated development assessment system (IDAS)

[s 360]

-
- (a) on the day the referral agency's response for the missed referral agency is received by the assessment manager; or
 - (b) if the missed referral agency does not give a referral agency's response—on the day the referral agency's assessment period of the missed referral agency ends.

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant's appeal period

360 Application of div 1

This division applies only during the applicant's appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

Current as at 19 May 2017

Page 219

Authorised by the Parliamentary Counsel

Sustainable Planning Act 2009
Chapter 6 Integrated development assessment system (IDAS)

[s 362]

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the *negotiated decision notice*) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and
 - (d) replaces—
 - (i) the decision notice previously given; or
 - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.

Page 220

Current as at 19 May 2017

Authorised by the Parliamentary Counsel

43.2017.2159
19/26 (Doc ID 849387)

- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of a levied charge.
- (2) The local government may give the applicant a new infrastructure charges notice to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or

-
- (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.

Reasons for Decision

1. The reasons for this decision are:
 - a. Sections 78, 78A, 79, 81, 81A, 83, 86, and 87 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 16 February 2026 under sections 78, 78A, 79 and 86 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 Low Density Residential Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections xx and 83 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

Through the conditions of the approval the development complies with the planning scheme and no concerns are raised.

Extracts from the Planning Act 2016 – Appeal Rights

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

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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—