

Administration Office

64 - 66 Front St Mossman

P 07 4099 9444

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21 April 2021

Enquiries: Rebecca Taranto
Our Ref: MCUC 2021_4089/1 (Doc ID: 1007549)
Your Ref: 20205557

Cheyne Selwood & Owen Selwood
C/-Patrick Clifton
GMA Certification
PO Box 831
Port Douglas QLD 4877

Email: patrick.c@gmacert.com.au

Dear Sir/Madam

**Development Application for Material Change of Use-
Dwelling House and Caretakers Residence
At 164 Tati Road Miallo
On Land Described as Lot 101 on SP276043**

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

Please quote Council's application number: MCUC 2021_4089/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Paul Hoyer
Manager Environment & Planning

encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Reasons for Decision - response to properly made submissions.
- Advice For Making Representations and Appeals (Decision Notice)

Decision Notice

Approval (with conditions)

Given under section 63 of the Planning Act 2016

Applicant Details

Name: Cheyne Selwood and Owen Selwood
Postal Address: C/- GMA Certification
PO Box 831
Port Douglas QLD 4877
Email: adminpd@gmacer.com.au

Property Details

Street Address: 164 Tati Road Miallo
Real Property Description: Lot 101 on SP276043
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for Material Change of Use (Caretakers Residence and Dwelling House)

Decision

Date of Decision: 21 April 2021
Decision Details: Approved (subject to conditions)

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

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

Drawing or Document	Reference	Date
Photo 1- Site Location	Source: Queensland Globe	Submitted with Application on 7 April 2021
Image 1- Ground Floor Proposed Caretaker's Accommodation	Image-1 Ground Floor Proposed Caretaker's Residence as submitted by Applicant (Council document 1007145)	Submitted with Application on 7 April 2021

Image 2- First Floor Proposed Caretaker's Accommodation	Image-2 First Floor Proposed Caretaker's Residence as submitted by Applicant (Council document 1007145)	Submitted with Application on 7 April 2021
Image 3- First Floor Proposed Dwelling House	Image-3 Drawing 1 Ground Floor Proposed Dwelling House as submitted by Applicant (Council document 1007145)	Submitted with Application on 7 April 2021
Partial Site Plan	Danny Voss- Architect	1/04/2021
Floor Plan	Danny Voss- Architect	1/04/2021
Roof Plan	Danny Voss- Architect	1/04/2021
Kitchen, LDRY, PWD and Study Plan, ENS 02. And WIR Plan, BTHRM and Robe Plan	Danny Voss- Architect	1/04/2021
Elevation 01, Elevation 02, Elevation 03	Danny Voss- Architect	1/04/2021
Elevation 04, Section 01, Section 02	Danny Voss- Architect	1/04/2021
Section 03, Section 04, Section 05	Danny Voss- Architect	1/04/2021
Section 05, Section 06	Danny Voss- Architect	1/04/2021
Site Plan Notes	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (1 of 7)	Submitted with Application on 7 April 2021
Ground Floor Plan	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (2 of 7)	Submitted with Application on 7 April 2021
First Floor Plan	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (3 of 7)	Submitted with Application on 7 April 2021
Elevations- Sheet 1	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (4 of 7)	Submitted with Application on 7 April 2021
Elevations- Sheet 2	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (5 of 7)	Submitted with Application on 7 April 2021
Roof Framing	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (6 of 7)	Submitted with Application on 7 April 2021
Section A-A	Greg Skyring Design and Drafting Pty Ltd Plan Number 410-08 (7 of 7)	Submitted with Application on 7 April 2021

FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access		
Rural Allotment Access	Standard Drawing S1105 Issue E	27 August 2020

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;
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval.

Timing of Effect

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

Treatment of Onsite Waste

3. The method of on-site effluent disposal must be in accordance with the *Queensland Plumbing and Drainage Act 2002* and Section 33 of the *Environmental Protection Policy (Water) 1997*.

Water Supply

4. Water storage tank(s) with a minimum capacity not less than 10,000 litres must be installed prior to occupation of the premises. Details of the water tank(s) must be shown on plans submitted with the building application. Such water tanks must be provided with:
 - a. Mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than one (1) mm aperture mesh of substantial construction and installed in such manner as not to cause or accelerate corrosion; or
 - b. Flap valve at every opening of the tank or other receptacle; or
 - c. Other approved means for preventing the ingress or egress of mosquitoes;
 - d. The water tank(s) shall be fitted with a 50 mm ball valve with a camlock fitting;
 - e. Must be below ground or of a non-flammable construction; and
 - f. Have a take-off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters.

5. External Works

Undertake the following works at the new external access to the Dwelling House at no cost to Council:

- a. Provision of a concrete crossover and apron in accordance with FNQROC Development Manual Standard Drawing S1105;

Where the vehicle crossing is constructed in accordance with the FNQROC Regional Development Manual the works do not constitute Operational Works. Such work must be constructed to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

6. Caretakers Accommodation

The Caretaker's accommodation is occupied only by the proprietor, manager, caretaker of the use together with any immediate family.

7. Exterior Colour

White and shining metallic finishes are avoided on external surfaces of buildings. Buildings to be of dark colours in keeping with the surrounding environment.

Advices

1. 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*.
2. 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 potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with relevant Local Laws and statutory requirements.

Bushfire Hazard Overlay Considerations

4. With reference to the Bushfire Hazard Overlay, Acceptable Outcome AO12 advises that private driveways;
 - a. Do not exceed a gradient of more than 12.5%;
 - b. Have a minimum width of 3.5m; and
 - c. Accommodate turning areas for firefighting appliances in accordance with Queensland Fire and Emergency Services Fire Hydrant and Vehicle Access Guidelines.

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 Operational 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 are attached.

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



Photo 1 – Site Location (Source Queensland Globe)

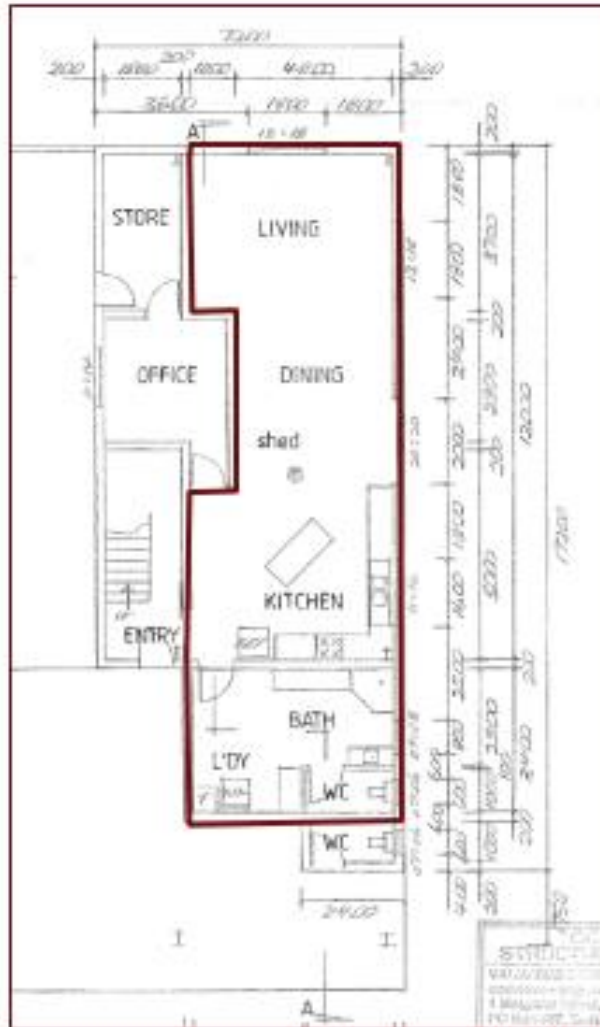


Image 1 – Ground Floor Proposed Caretaker's Accommodation

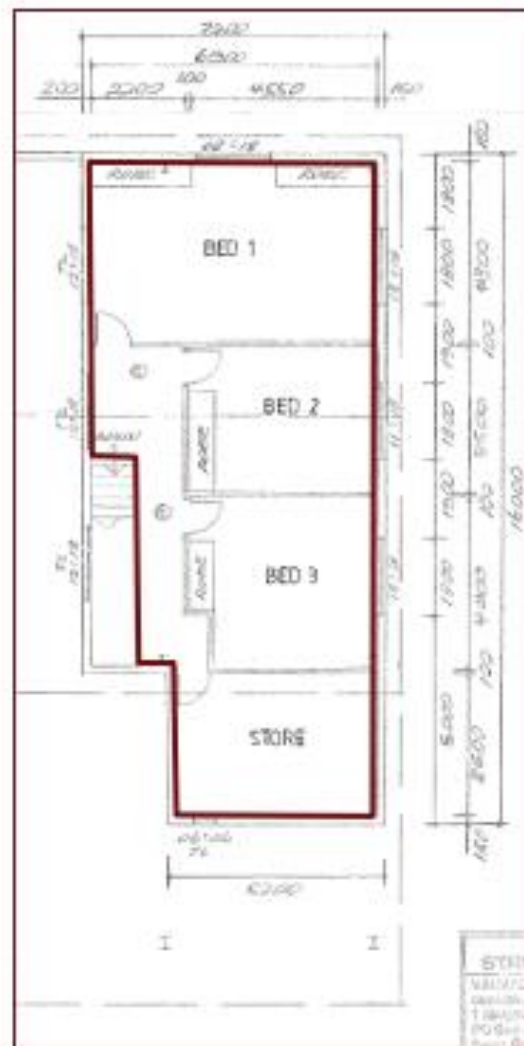


Image 2 – First Floor Proposed Caretaker's Accommodation

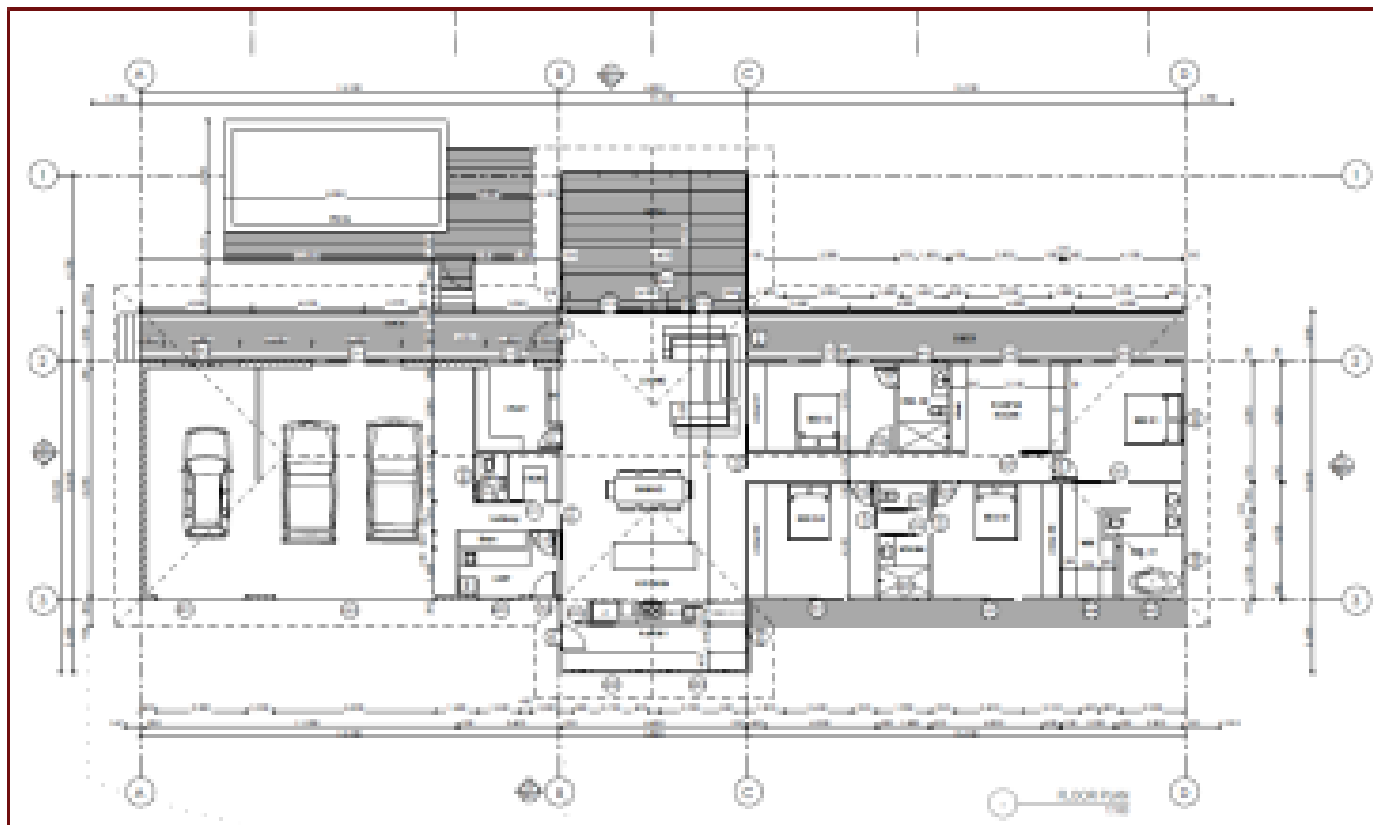
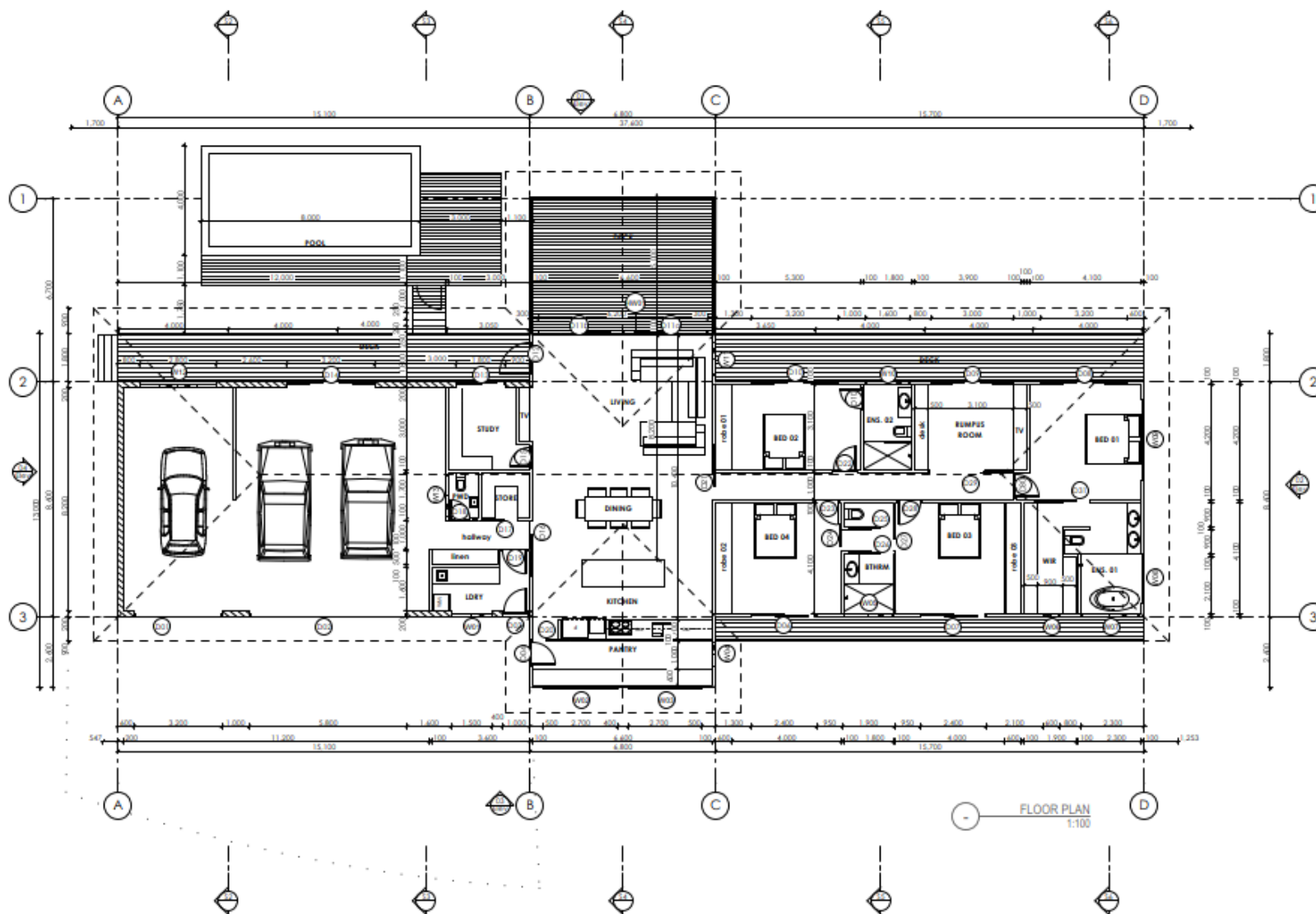


Image 3 – First Floor Proposed Dwelling House

Proposal Plans are attached at Appendix 2.



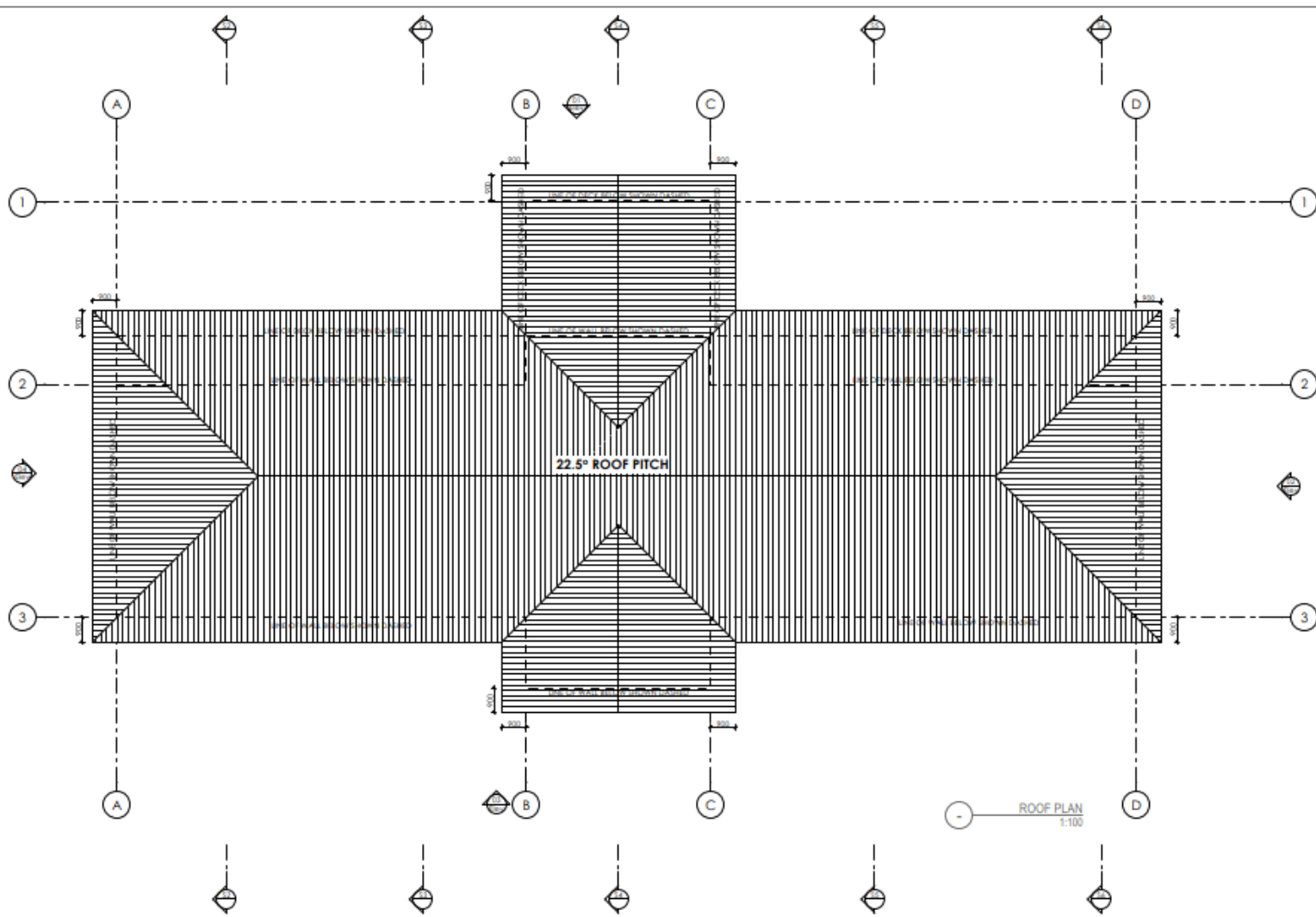
REV F
A2 SHEET
1/04/2021

CMG Consulting Engineer PTY LTD
208 Buchanan Street, Westcourt QLD 4870
Phone: 07 4331 2775 Email: charlie@cmgengineers.com.au

VOS
Architect
m 0415 300 748

PROPOSED RENOVATION
CHEYNE & OWEN SELWOOD
LOT 101 (SP274043) TATI ROAD, MIALLO QLD

2.0



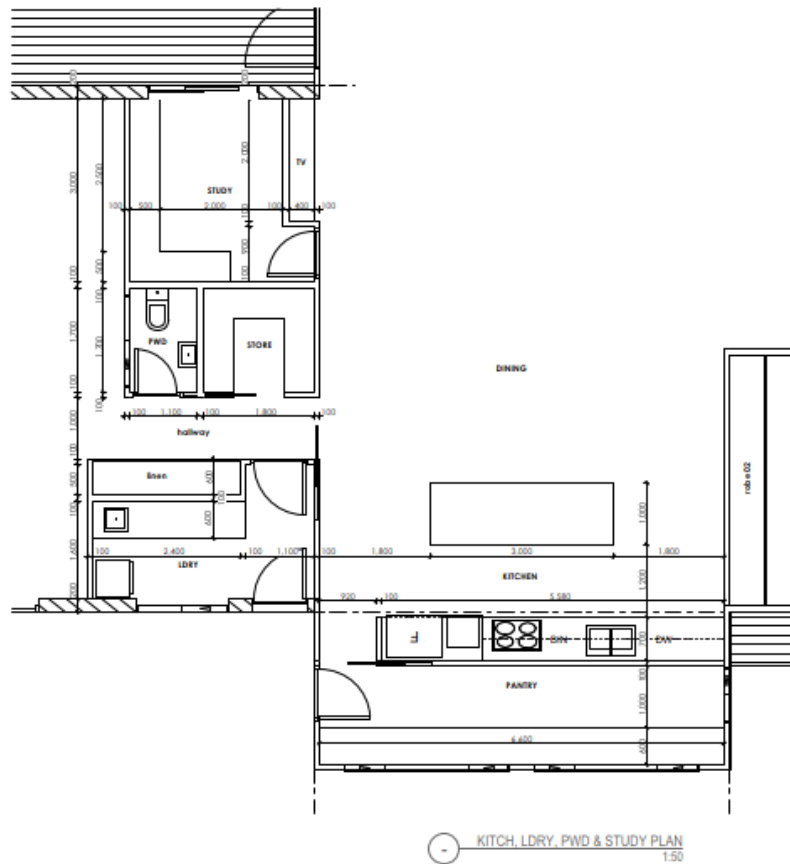
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1/04/2021

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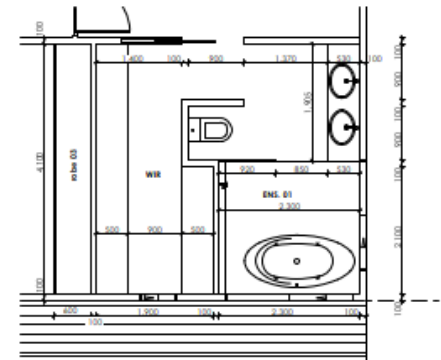
CMG Consulting Engineer PTY LTD
208 Buchanan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chris@cmgengineers.com.au

VOS
Architect
m 0415 300 748

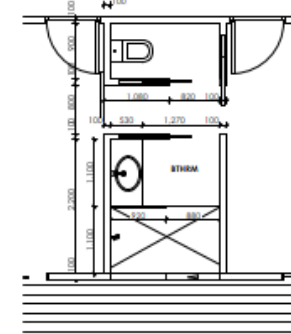
PROPOSED RENOVATION
CHEYNE & OWEN SELWOOD
LOT 101 (SP274043) TATI ROAD, MIALLO QLD



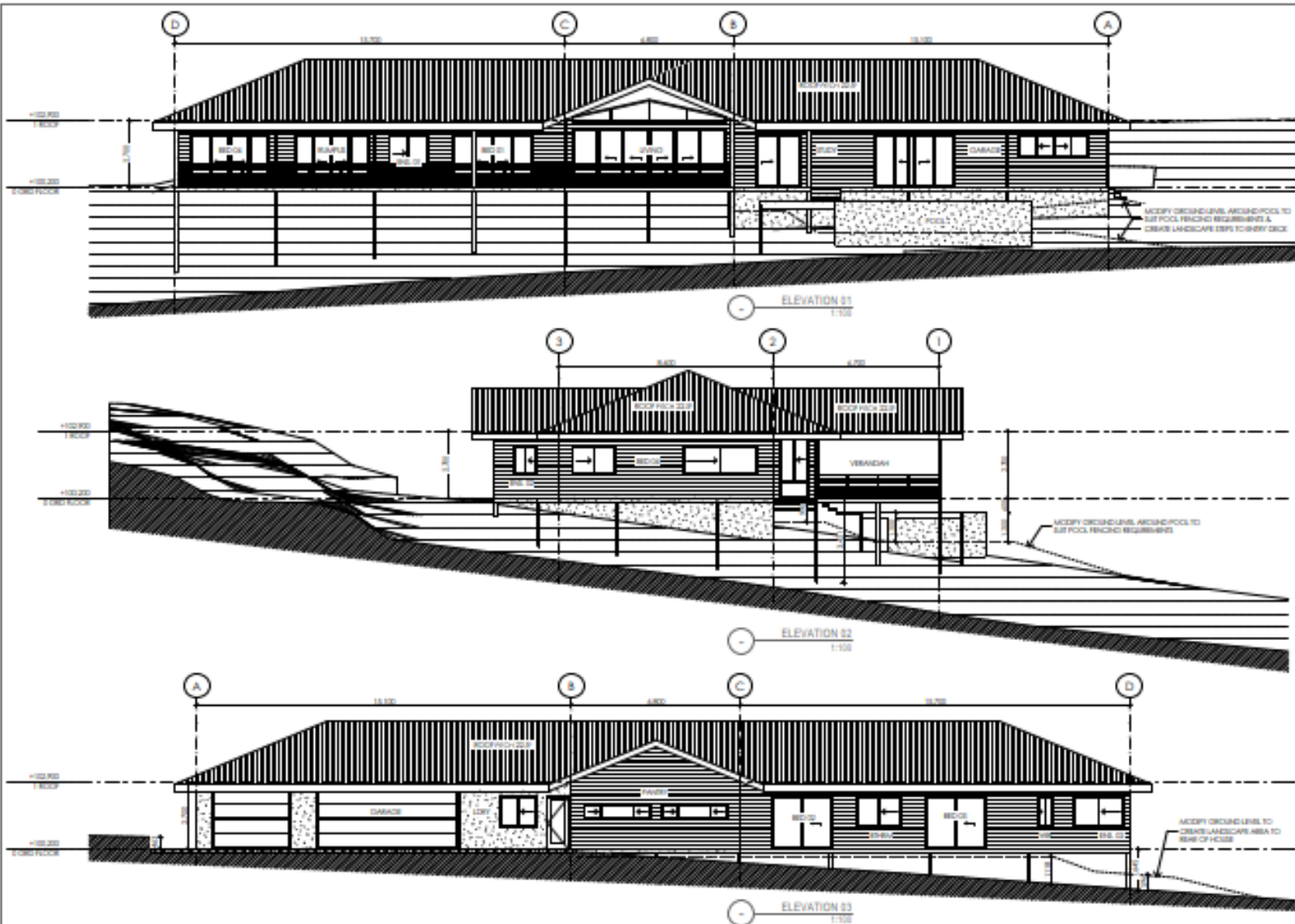
KITCH, LDY, PWD & STUDY PLAN
1:50



ENS.02 & WIR PLAN
1:50



BTHRM & ROBE PLAN
1:50

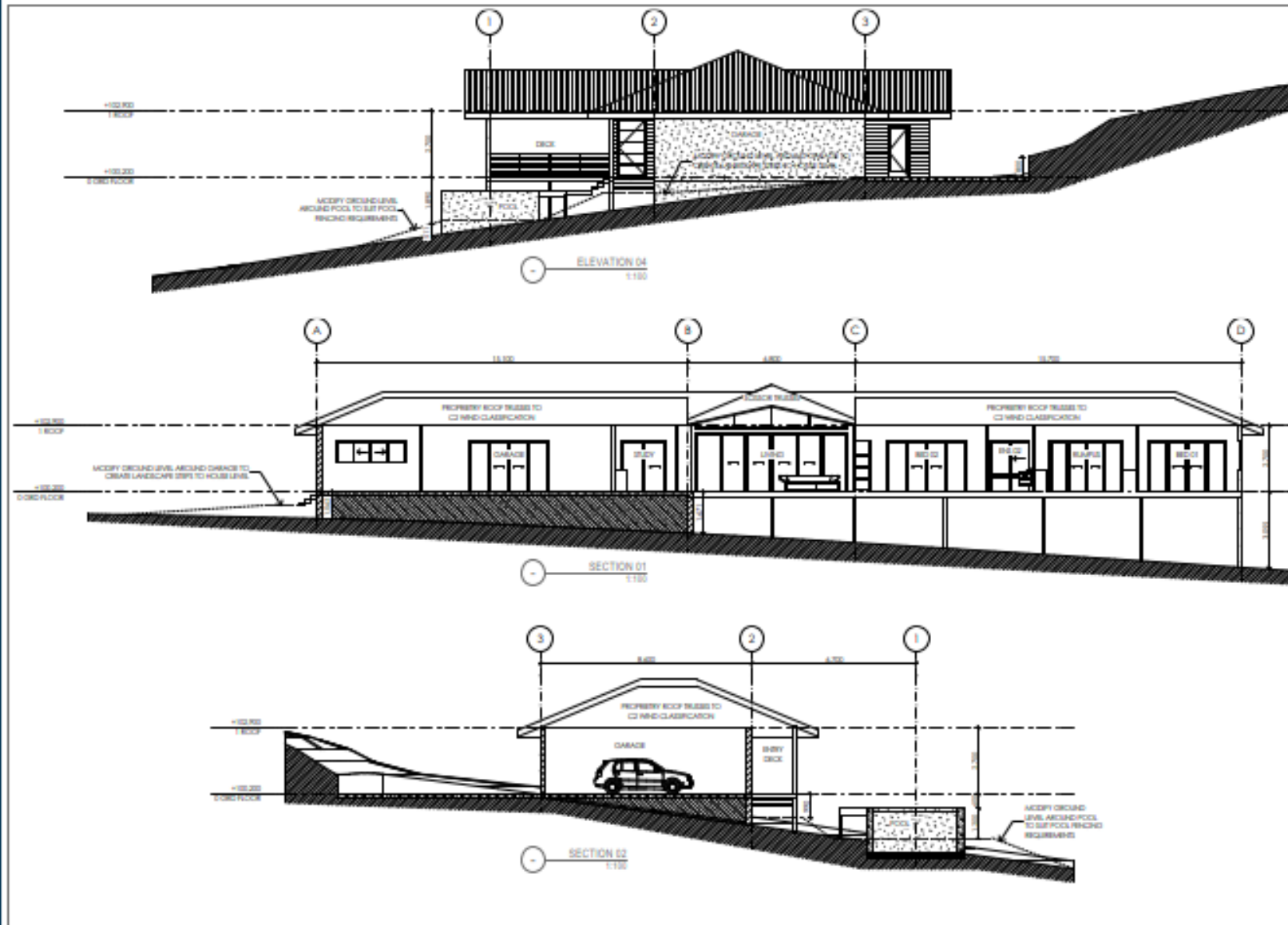


CMS Consulting Engineer Pty Ltd
238 Sullivan Street, Melbourne VIC 3000
Phone: 07 453 2715 Email: chad.burgess@cms.com.au

VOS
Architect
— PLATE 200 112

PROPOSED RENOVATION
CHETNE & OWEN SELWOOD
LOT 101 (SP274043) TATE ROAD, MIALLO QLD

REV P
A2 SHEET
10/4/2021
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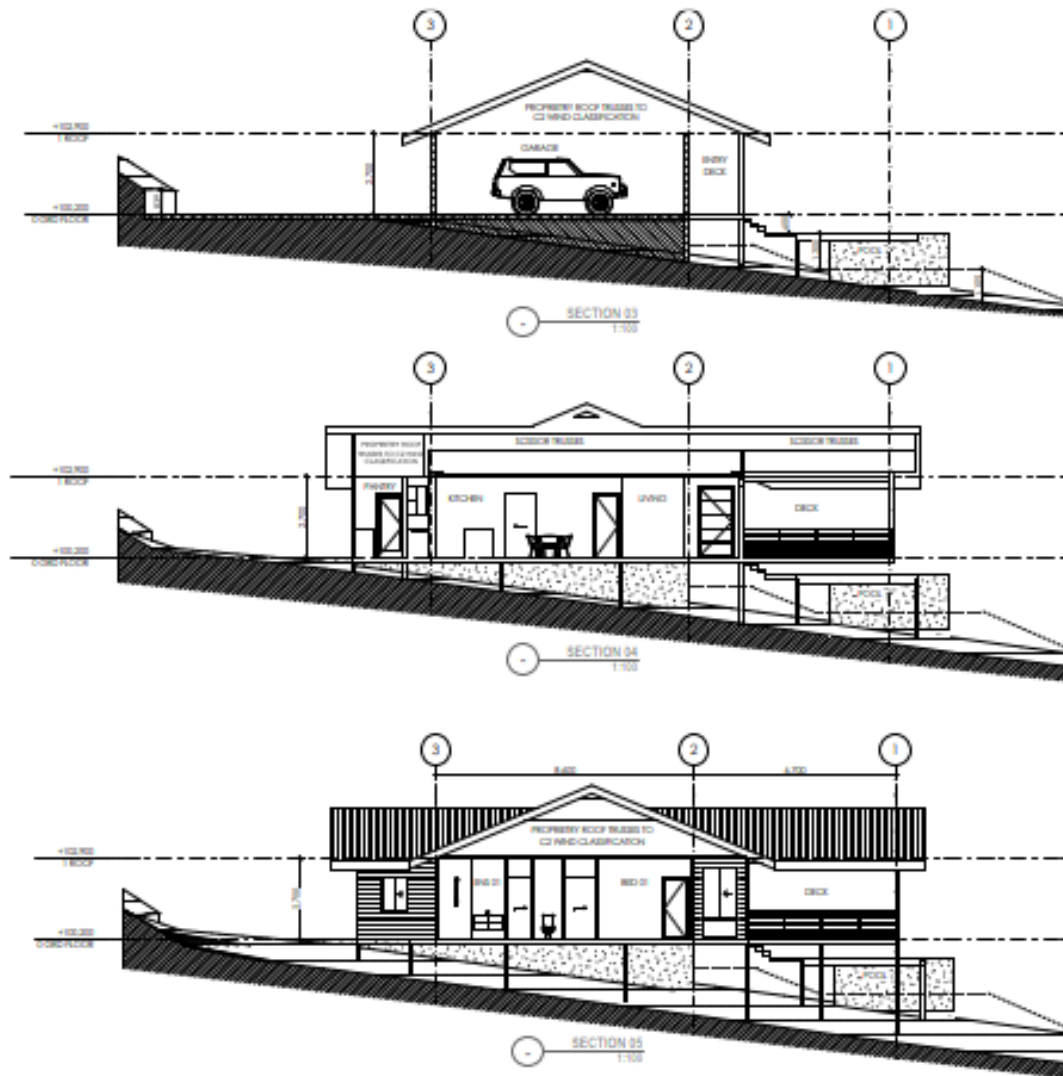


CMD Consulting Engineers PTY LTD
308 Burton Street, Westport QLD 4870
Phone: 07 403 2775 Email: chad@cmdengineering.com.au

VOS
Architect
M. 0415 300 748

PROPOSED RENOVATION
CHETNE & OWEN SELWOOD
LOT 101 (SP274042) TATI ROAD, MIALLO QLD

REV P
AS SHEET
1/24/2021
3.1



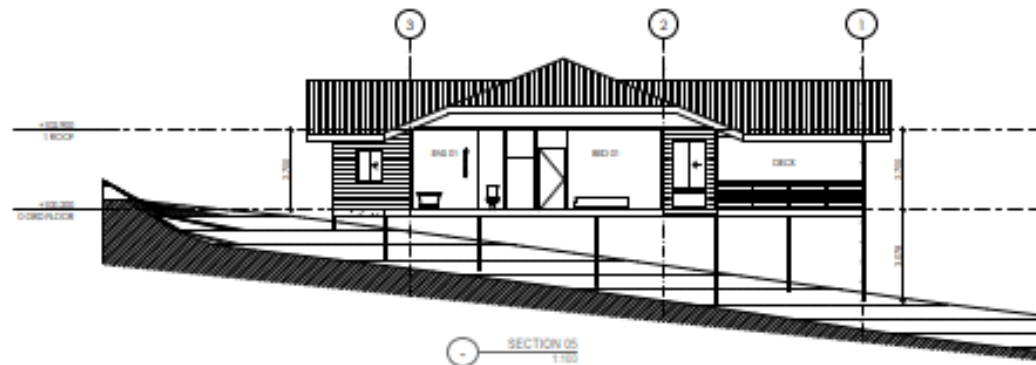
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AZ SHEET
10/04/2021

32

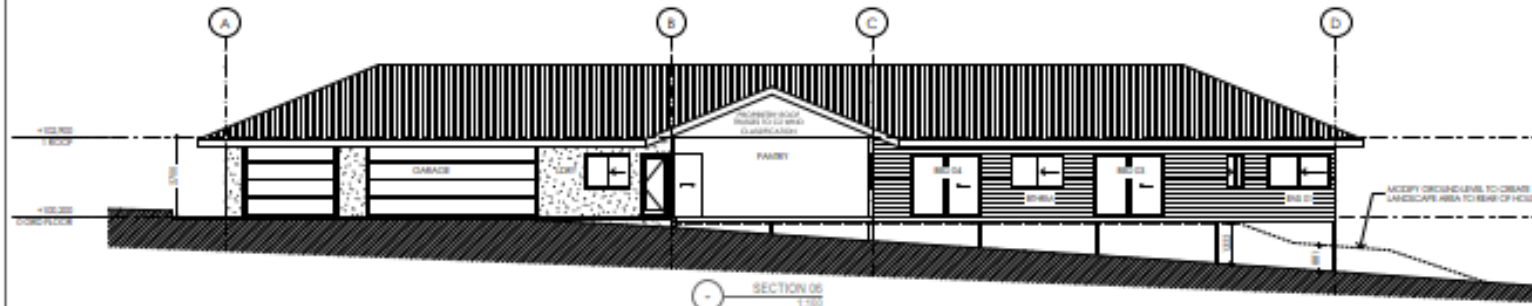
CMD Consulting Engineers PTY LTD
228 Baulkham Street, Westmead NSW 2115
Phone: 07 4333 2775 Email: chad@cmdengineering.com.au

VOS
Architect
0418 320 748

PROPOSED RENOVATION
CHRYNE & OWEN SELWOOD
LOT 101 (SP2740443) TATE ROAD, MIALLO QLD



SECTION 05
T.100

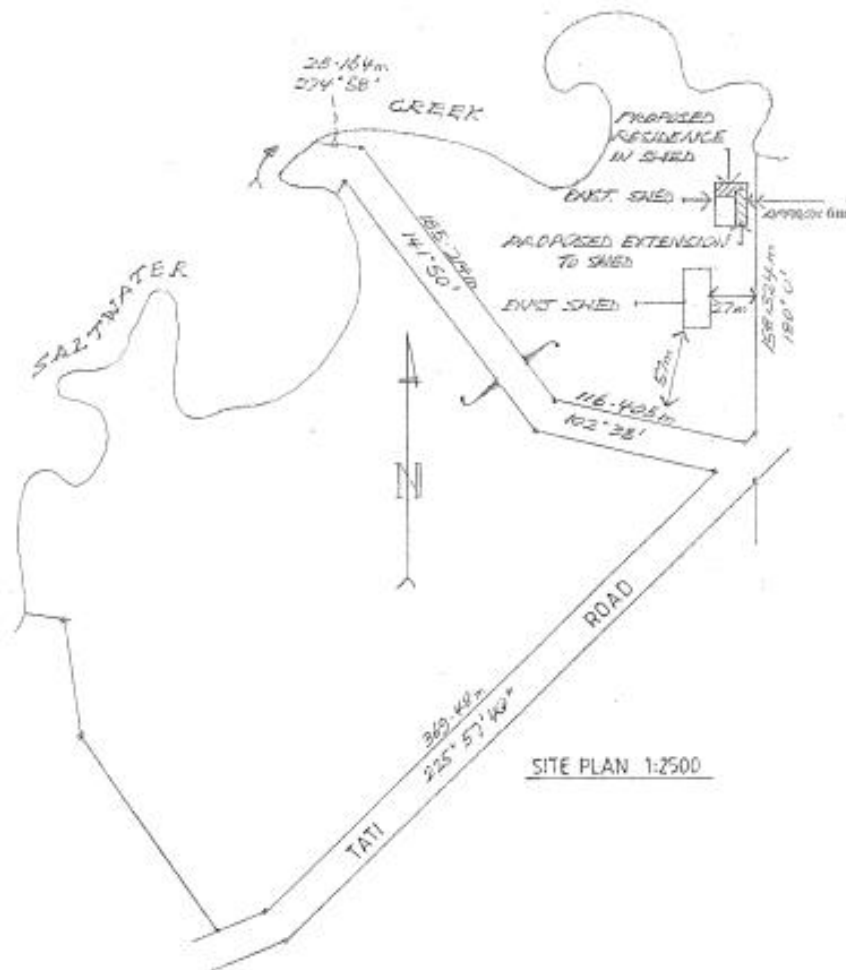


SECTION 06
T.100

CMD Consulting Engineer PTY LTD
228 Nathan Street, Westport 720 4070
Phone: 07 433 2755 Email: chad@cmdengineering.com.au

VOS
Architect
in 0415 350 748

PROPOSED RENOVATION
CHETNE & OWEN SELWOOD
LOT 101 (SP274642) TATI ROAD, MIALLO QLD



GENERAL

All construction is to comply with C2 building standards, Building Code of Australia, all relevant legislation, and Council By-Laws.

Builders are to ensure that all materials nominated on this plan are used and fixed strictly in accordance with the manufacturers specifications, also taking into consideration all site conditions applicable to the materials allowable and recommended use. Substitution of any structural members, or variation to any part of the design without seeking approval prior to changing will void any responsibility of the Designer and Engineer for the structural integrity and performance of the building.

All nominated fixings, reinforcing, timber sizes and grades etc are the minimum requirements.

All dimensions must to be checked by the Builder prior to commencing any work - written dimensions take precedence over scaled.

Any alterations or discrepancies are to be clarified with the plan Author or Engineer prior to carrying out the work.

This plan has been prepared for building approval only and is not intended to be read as a complete specification of the work and finishes to be carried out on this project.

GMA Certification Group Pty Ltd
This document has been assessed for
Compliance with the Building Act 1975
and is APPROVED
Subject to the conditions on the Decision Notice
and the endorsements made hereon
BA 20101144

GREG SKYRING

Design and DRAFTING Pty. Ltd.

Ltr. Under QBSA Act 1991 - No 1040971

11 Noll Close
MOOREMAN O. 4878

Phone/Fax: (07) 46862061
Mobile: 0419 241982

PROJECT

PROPOSED RESIDENCE WITHIN EXISTING SHED
AND EXTENSION TO SHED
L1 SP174875
TATI RD, SYNDICATE

CLIENT

S. & P. QUAID

WIND CLASS

C2

PLAN NUMBER

410-08 1 of 7

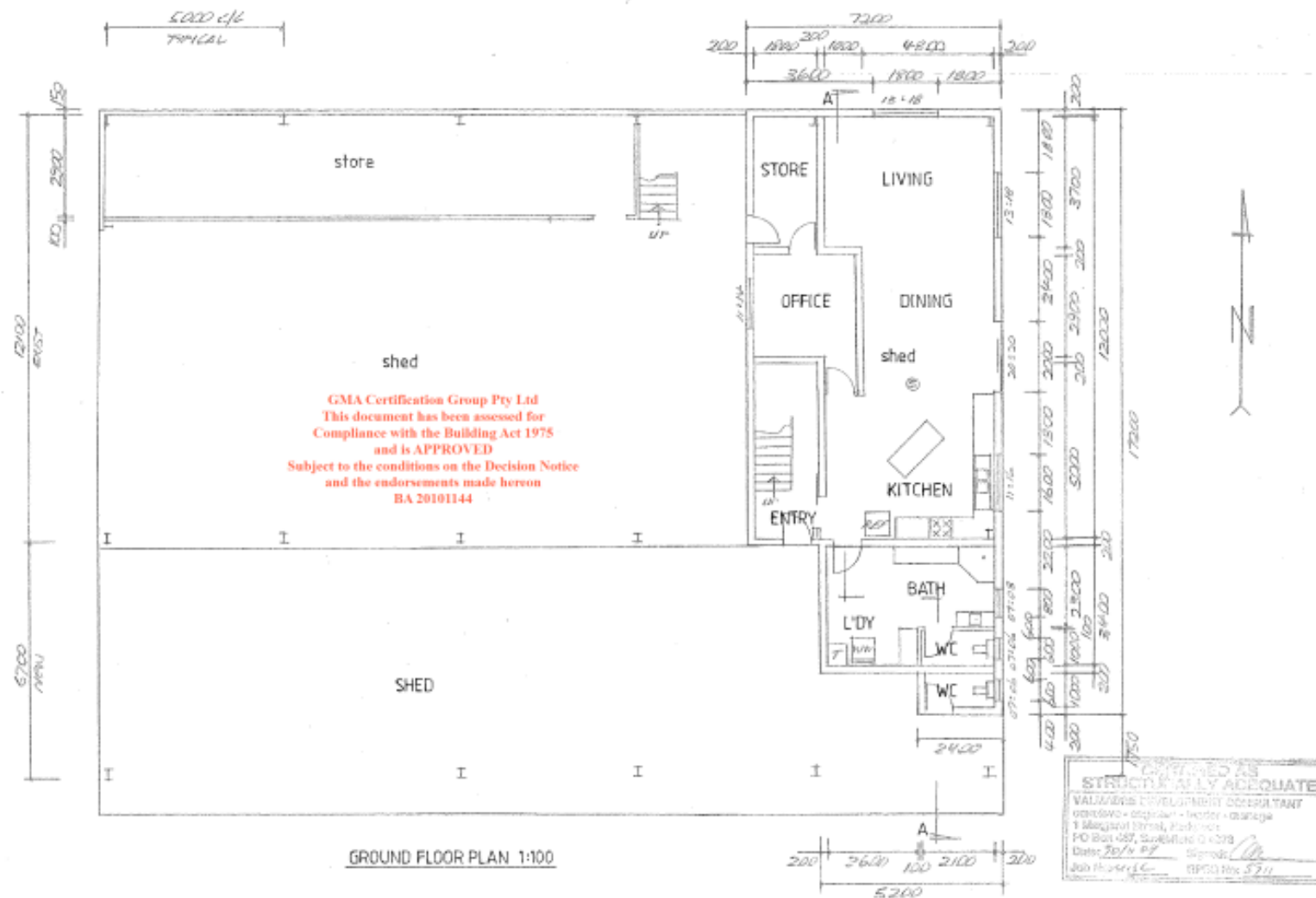
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PLAN TITLE

SITE PLAN, NOTES

REV.



GREG SKYRING
Design and DRAFTING Pty. Ltd.
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MOSSMAN Q. 4873 Phone/Fax: (07) 45802661
Mobile: 0419 212642

PROJECT
PROPOSED RESIDENCE WITHIN EXISTING SHED
AND EXTENSION TO SHED
L1 SP174875
TATI RD, SYNDICATE

CLIENT
S. & P. QUAD

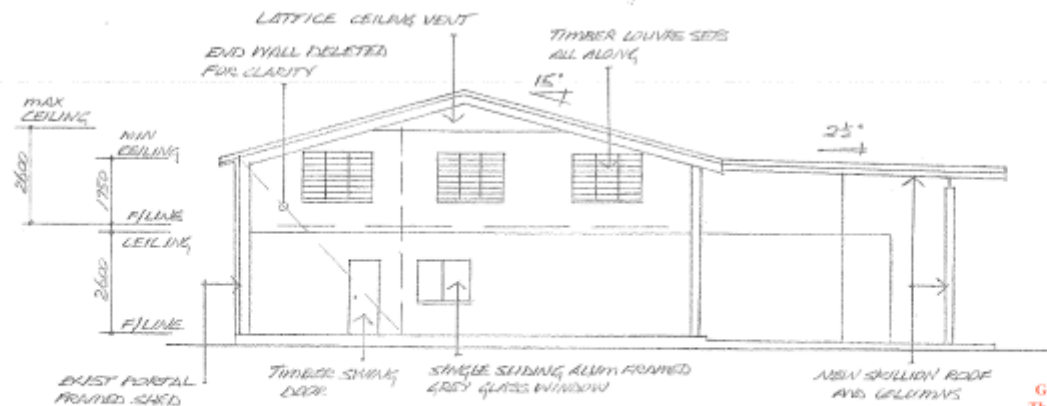
WORD CLASS
C2

PLAN NUMBER
410-08 2 of 7

SCALE
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PLAN TITLE
GROUND FLOOR PLAN

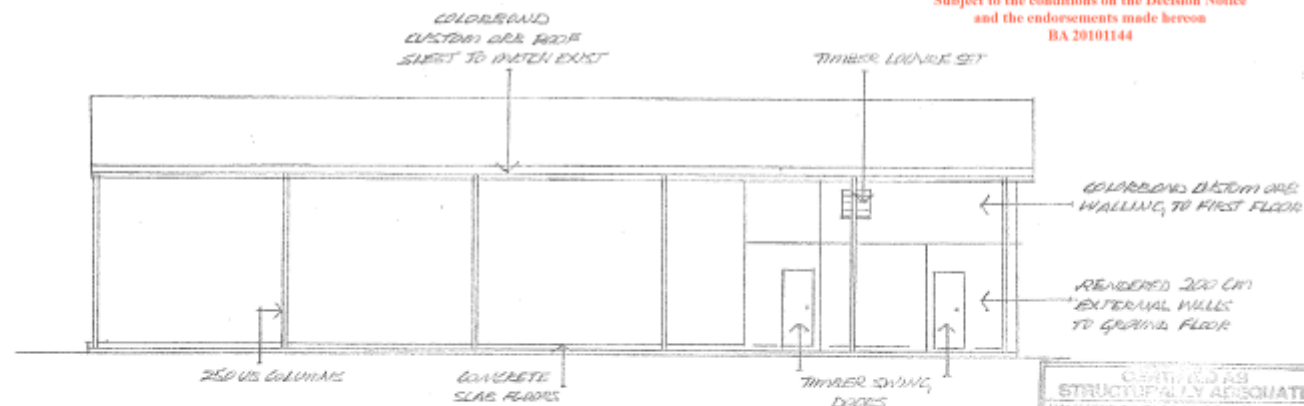
REV.



FRONT ELEVATION 1:100

GMA Certification Group Pty Ltd
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Compliance with the Building Act 1975
and is APPROVED

Subject to the conditions on the Decision Notice
and the endorsements made hereon
BA 201011144



RIGHT ELEVATION 1:100



GREG SKYRING
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MOSSMAN Q. 4873

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PROJECT

PROPOSED RESIDENCE WITHIN EXISTING SHED
AND EXTENSION TO SHED
L1 SP-174-875
TATI RD, SYNDICATE

CLIENT

S. & P. QUAD

WIND CLASS

C2

PLAN NUMBER

410-08 4 of 7

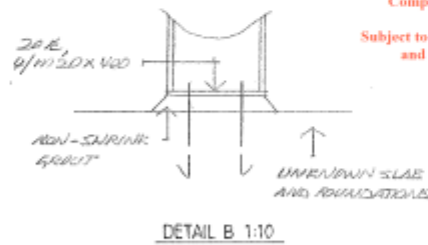
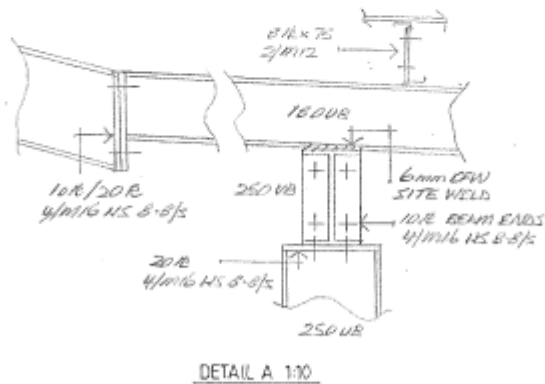
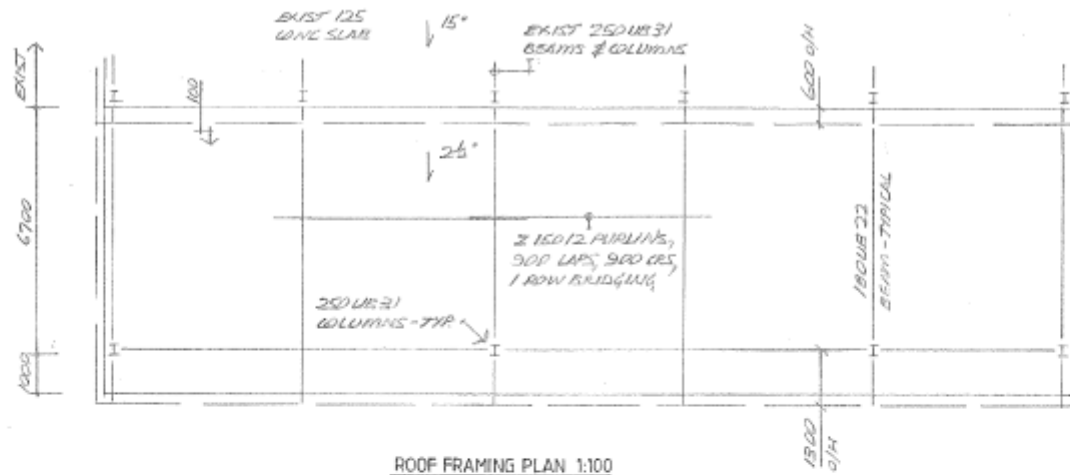
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PLAN TITLE

ELEVATIONS - SHEET 1

REV.



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and is APPROVED
Subject to the conditions on the Decision Notice
and the endorsements made hereon
BA 20101144



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11 No8 Close
MODGEMAN Q. 4878
Phone/Fax (07) 40882061
Mobile 0415 212852

PROJECT
PROPOSED RESIDENCE WITHIN EXISTING SHED
AND EXTENSION TO SHED
L1 SP 174875
TATI RD, SYNDICATE

CLIENT
S. & P. QUAID

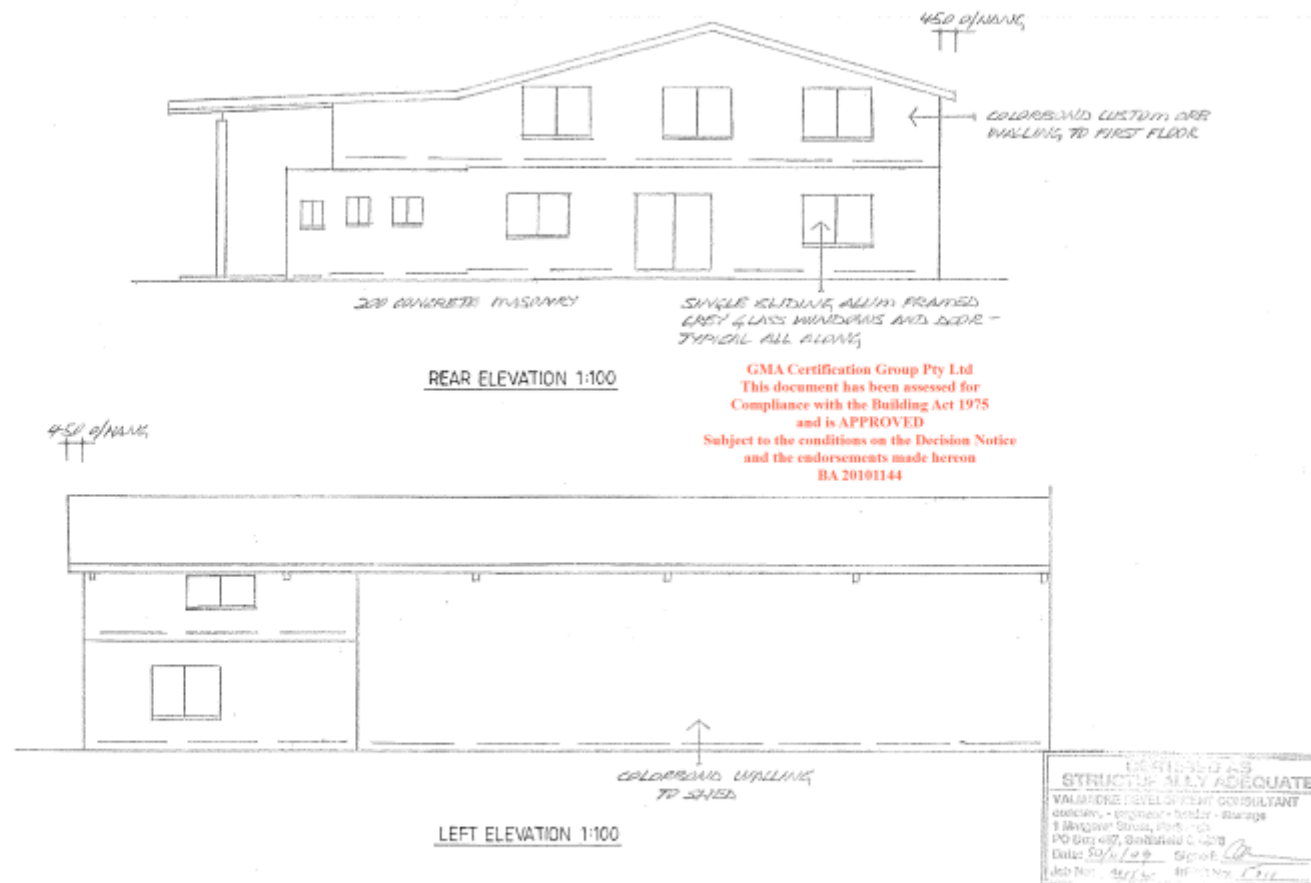
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PLAN TITLE
ROOF FRAMING

WIND CLASS
C2

PLAN NUMBER
410-08 6 of 7

REV.



GREG SKYRING
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PROJECT
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AND EXTENSION TO SHED
L1 SP 174875
TATI RD, SYNDICATE

CLIENT
S. & P. QUARD

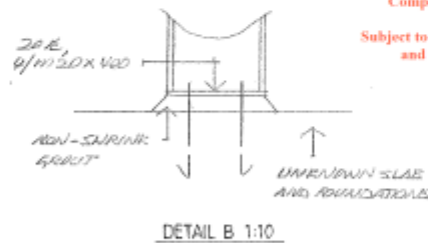
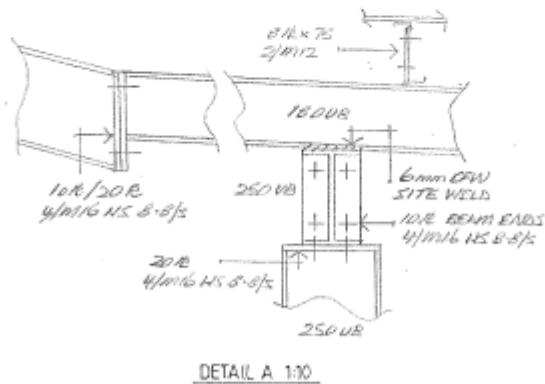
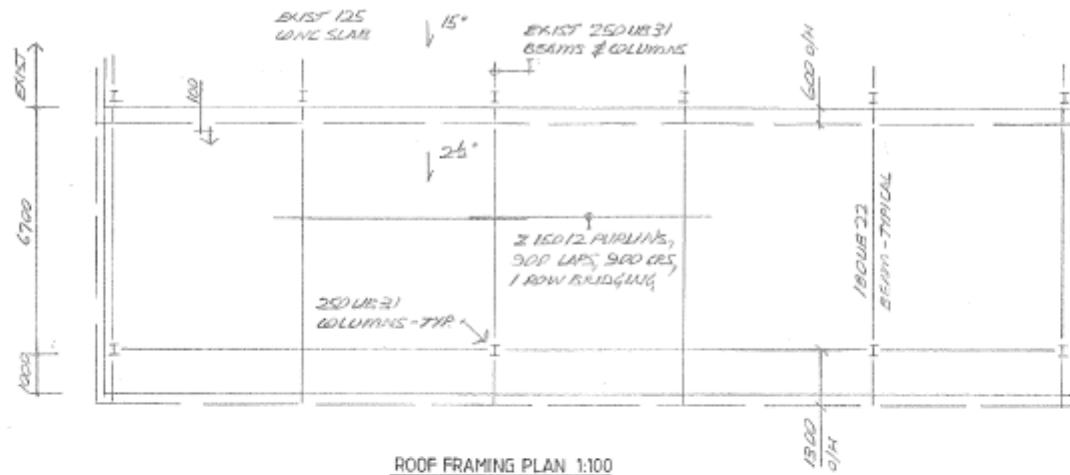
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WIND CLASS
C2

PLAN NUMBER
410-08 5 of 7

PLAN TITLE
ELEVATIONS - SHEET 2

REV.



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BA 20101144



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PROJECT
PROPOSED RESIDENCE WITHIN EXISTING SHED
AND EXTENSION TO SHED
L1 SP 174875
TATI RD, SYNDICATE

CLIENT
S. & P. QUAID

SCALES
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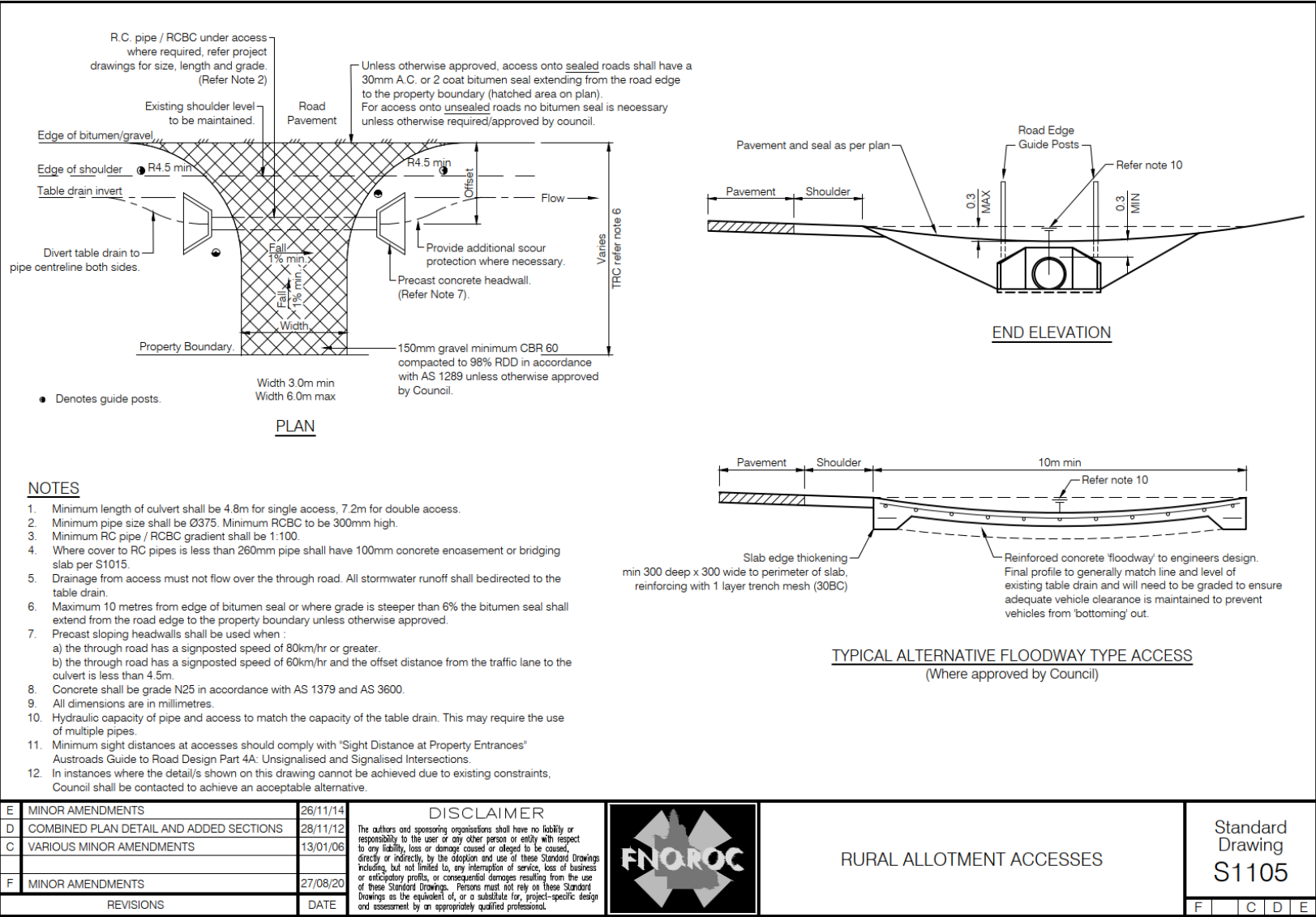
PLAN TITLE
ROOF FRAMING

WIND CLASS
C2

PLAN NUMBER
410-08 6 of 7

REV.

FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access



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 15/04/2021 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 Rural 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.

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

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

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 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)(c).
- (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 applicant receives notice that the assessment manager does not agree with 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) However, if the assessment manager gives the applicant 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.

- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
- (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

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

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- (iii) who is a co-respondent in an appeal of the matter;
and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The ***appeal period*** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for 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) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

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