

22 January 2026

Enquiries: Daniel Lamond
Our Ref: MCUC 2025_5861/1 (1344828)
Your Ref: 2916/25

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

J A Cairns
C/- Rapid Building Approvals
34/5 Faculty Ct
SMITHFIELD QLD 4878

Dear Sir/Madam

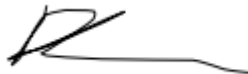
**Development Application for Material Change of Use-Code (Dwelling House)
At Santacatterina Road FINLAYVALE
On Land Described as LOT: 8 RP: 898230**

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

Please quote Council's application number: MCUC 2025_5861/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Leonard Vogel
Manager Environment & Planning

encl.

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



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: J A Cairns
Postal Address: C/- Rapid Building Approvals
34/5 Faculty Cl
SMITHFIELD QLD 4878
Email: approvals@rapidapprovals.com.au

Property Details

Street Address: Santacatterina Road FINLAYVALE
Real Property Description: LOT: 8 RP: 898230
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit- Material Change of Use-Code (Dwelling House)

Decision

Date of Decision: 22 January 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.

Drawing or Document	Reference	Date
Site Plan	Marshall Design plan, Sheet WD1/1	March 2024
Proposed Overall Floor Plan	Marshall Design plan, Sheet WD1/2	March 2024
Ground Floor Partial Floor Plan A	Marshall Design plan, Sheet WD1/3	March 2024

First Floor Partial Floor Plan A	Marshall Design plan, Sheet WD1/4	March 2024
Ground Floor Plan- Partial Floor Plan B	Marshall Design plan, Sheet WD1/5	March 2024
Elevations 1	Marshall Design plan, Sheet WD1/7	March 2024
Elevations 2	Marshall Design plan, Sheet WD1/8	March 2024

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.

External Colour

2. Provide external colours for endorsement by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. The external colour scheme must be reflective of the surrounding rural character and must not include white or zincalume finishes.

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.

Further Development Permits

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

- All Building Work

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

Currency Period for the Approval

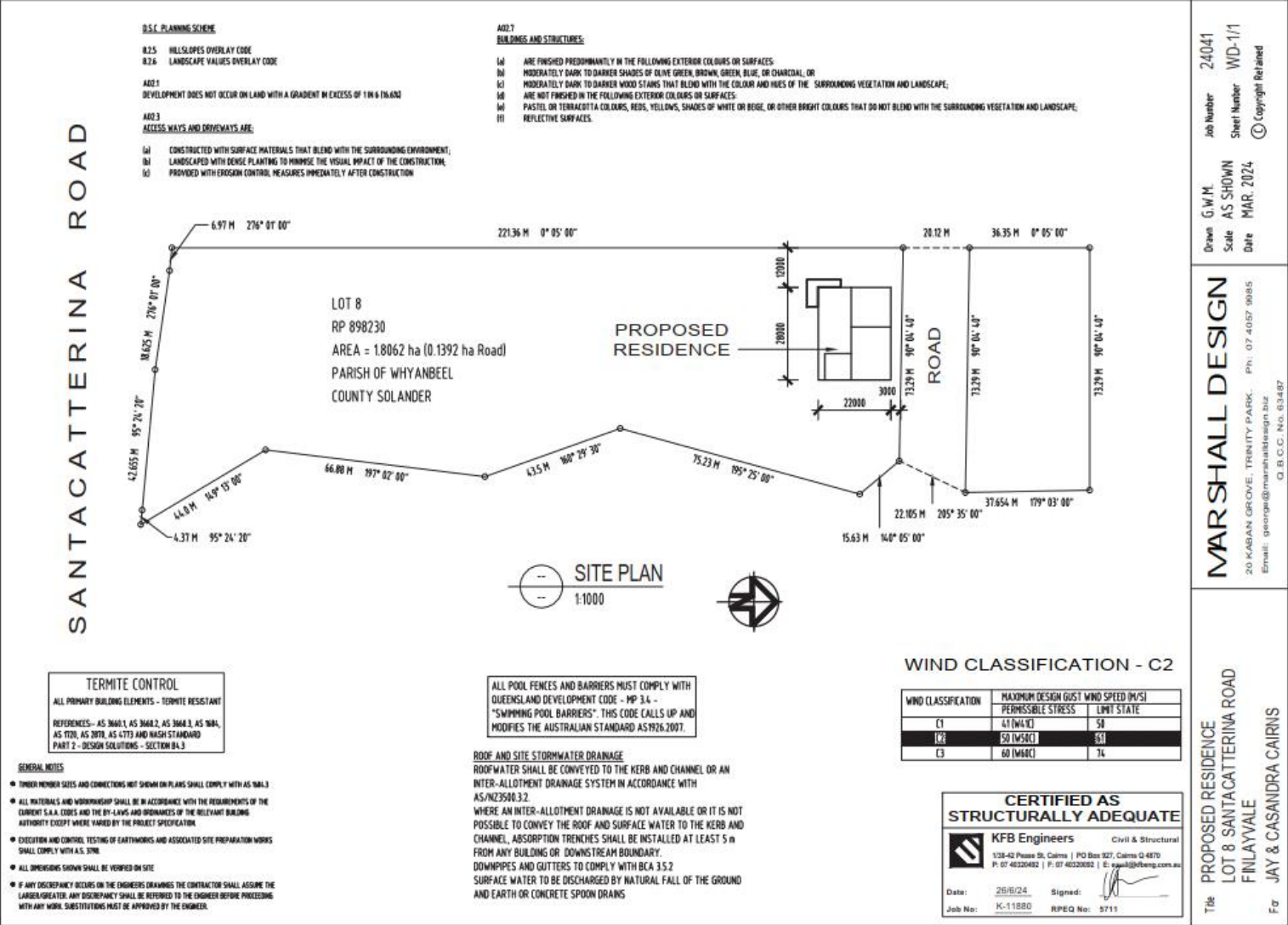
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

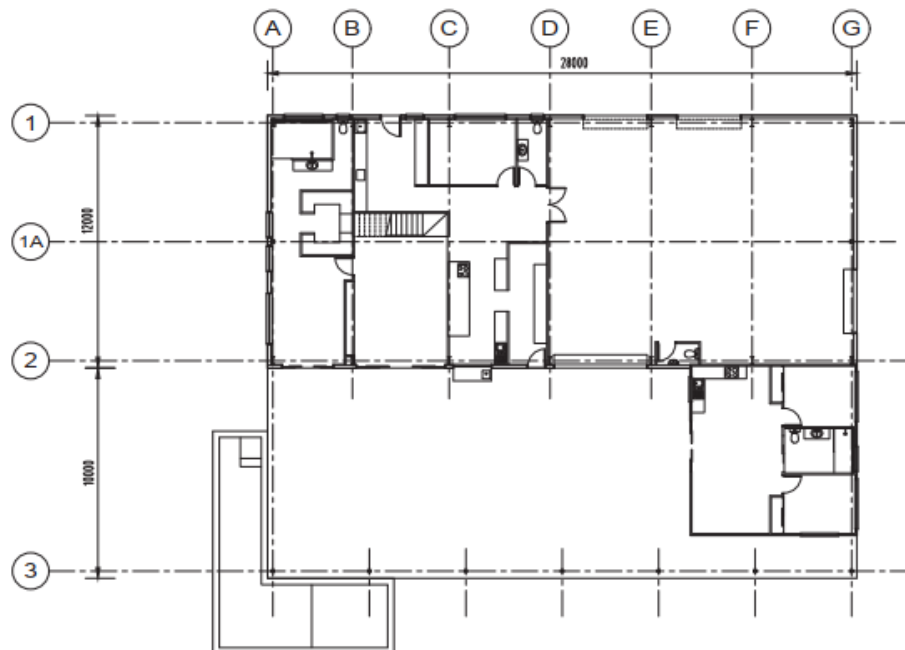
Rights to make Representations & Rights of Appeal

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

A copy of the relevant appeal provisions is attached.

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





ALL POOL FENCES AND BARRIERS MUST COMPLY WITH QUEENSLAND DEVELOPMENT CODE - MP 3.4 - "SWIMMING POOL BARRIERS". THIS CODE CALLS UP AND MODIFIES THE AUSTRALIAN STANDARD AS1926.2007.

PROPOSED OVERALL FLOOR PLAN
1:200

STEELWORK

- ALL STEELWORK SHALL BE IN ACCORDANCE WITH AS4100 STEEL STRUCTURES CODE & AS/NZS 4680 COLD FORMED STEEL STRUCTURES.

STEEL SHALL BE:

- AS3679.1 GRADE 300 PLUS FOR HOT ROLLED SECTIONS.
- AS1163 GRADE 350 FOR HOLLOW SECTIONS.
- AS1397 GRADE 350 FOR C SECTIONS.
- BOLTS SHALL BE COMMERCIAL GRADE 4.6/S NUTS TIGHTENED GENERALLY U.N.D.
- BOLT SHALL BE GALVANISED AND OF SUFFICIENT LENGTH TO EXCLUDE THE THREAD FOR THE SHEAR PLANE.
- A SUITABLE WASHER SHALL BE USED UNDER ALL NUTS.

UNLESS OTHERWISE SPECIFIED THE FOLLOWING SHALL APPLY:

- WELDING 6mm CONTINUOUS FILLET WELD TO FULL PERIMETER CONTACT.
- MEMBER SPLICES IF REQUIRED SHALL BE FULL PENETRATION BUTT WELDS.
- CLEATS, BRACKETS, STIFFENERS - EX. 10mm PLATE
- 5 PL END PL TO ALL HOLLOW SECTIONS.
- BOLT HOLE CLEARANCE 2mm
- HOLDOWN BOLT HOLE CLEARANCE 4mm
- GROUT OF 2:1 CEMENT/SAND, MORTAR OF DAMP EARTH CONSISTENCY UNDER ALL BASE PLATES.
- CHEMSET ANCHORS TO BE RAMSET HAMMER CAPSULES OR EQUIVALENT.
- ALL STEELWORK NOT HOT DIP GALVANISED SHALL BE ABRASIVE CLEANED TO CLASS 2.5 LEVEL AND PAINTED.
- PAINTING SHALL CONSIST OF ONE COAT OF APPROVED METAL PRIMER & TWO FINISH COATS.
- CORROSION PROTECTION IS TO COMPLY WITH SECTION 6.3.9 OF THE ABCB HOUSING PROVISIONS.

STAIR & RAMP NOTES

- (A) TREADS MUST HAVE -
- (I) A SURFACE WITH A SLIP-RESISTANCE CLASSIFICATION NOT LESS THAN THAT LISTED IN TABLE 3.9.13 WHEN TESTED IN ACCORDANCE WITH AS 4586; OR
- (II) A NOSING STRIP WITH A SLIP-RESISTANCE CLASSIFICATION NOT LESS THAN THAT LISTED IN TABLE 3.9.13 WHEN TESTED IN ACCORDANCE WITH AS 4586.
- (B) THE FLOOR SURFACE OF A RAMP MUST HAVE A SLIP-RESISTANCE CLASSIFICATION NOT LESS THAN THAT LISTED IN TABLE 3.9.13 WHEN TESTED IN ACCORDANCE WITH AS 4586.
- (C) WHERE THE EDGE LEADS TO THE FLIGHT BELOW, MUST HAVE
- (I) A SURFACE WITH A SLIP-RESISTANCE CLASSIFICATION NOT LESS THAN THAT LISTED IN TABLE 3.9.13 WHEN TESTED IN ACCORDANCE WITH AS 4586, FOR NOT LESS THAN 190 MM FROM THE STAIR NOSING; OR
- (II) A NOSING STRIP WITH A SLIP-RESISTANCE CLASSIFICATION NOT LESS THAN THAT LISTED IN TABLE 3.9.13 WHEN TESTED IN ACCORDANCE WITH AS 4586.

TABLE 3.9.13 SLIP-RESISTANCE CLASSIFICATION

APPLICATION	SURFACE CONDITIONS	
	DRY	WET
RAMP NOT STEEPER THAN 1:8	P4 or R10	P5 or R12
TREAD SURFACE	P3 or R10	P4 or R11
NOSING OR LANDING EDGE STRIP	P3	P4

REFER SHEET 13 FOR STRUCTURAL MEMBER LEGEND AND NOTES

AREAS GROUND FLOOR


LIVING	188.30m ²
PATIO	217.08m ²
GARAGE	146.39m ²
GRANNY FLAT	64.23m ²
SUB-TOTAL	616.00m²

FIRST FLOOR

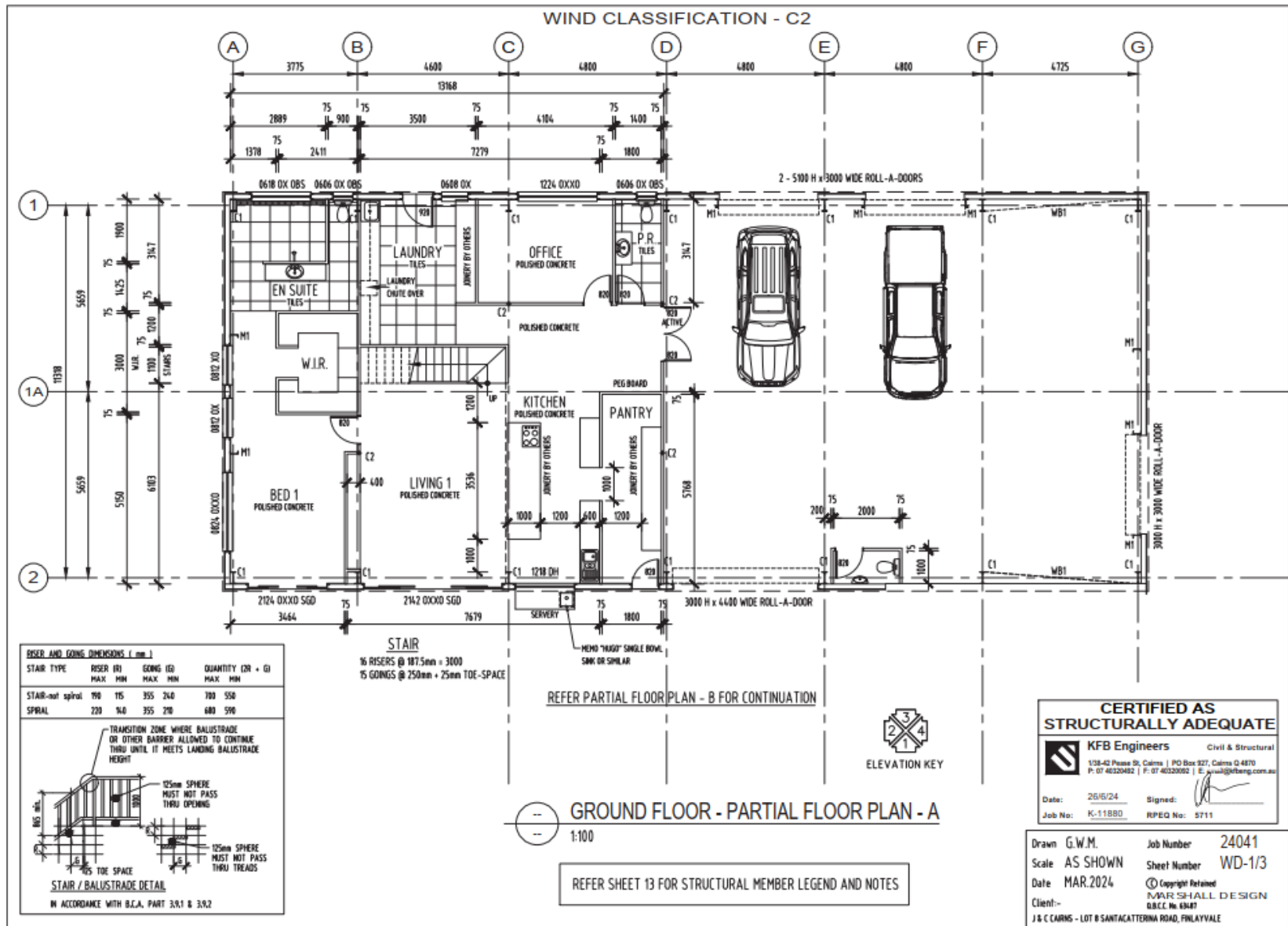
LIVING	156.13m ²
(GROUND FLOOR LIVING MINUS VOID)	
GRAND TOTAL	772.13m²

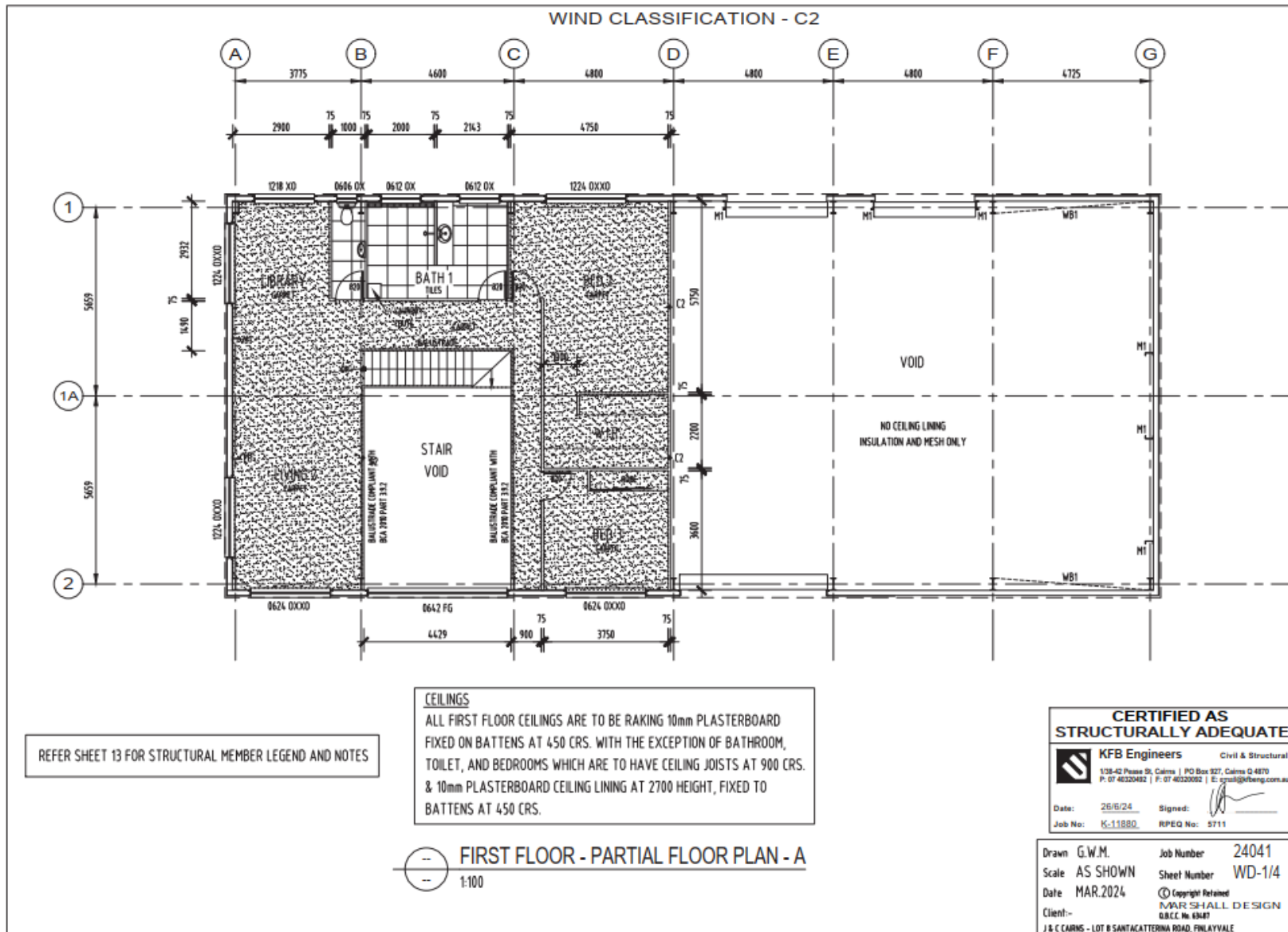
**CERTIFIED AS
STRUCTURALLY ADEQUATE**

KFB Engineers Civil & Structural
1/10-42 Phease St, Cairns | PO Box 927, Cairns Q 4870
P: 07 40320492 | F: 07 40320992 | E: enquiries@kfbeng.com.au

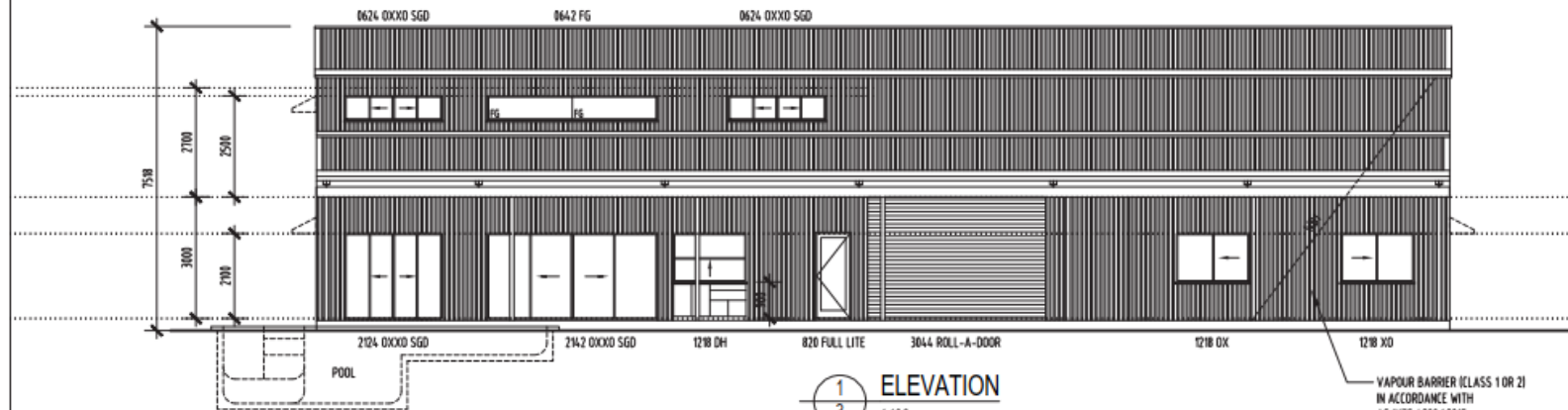
Date: 26/6/24 Signed: 
Job No: K-11880 RPEQ No: 5711

Drawn: G.W.M. Job Number: 24041
Scale: AS SHOWN Sheet Number: WD-1/2
Date: MAR.2024 Copyright Reserved
Client: MARSHALL DESIGN
J & C CAIRNS - LOT 8 SANTACATTERINA ROAD, PINLAYVALE





WIND CLASSIFICATION - C2



ALL POOL FENCES AND BARRIERS MUST COMPLY WITH QUEENSLAND DEVELOPMENT CODE - MP 3.4 - "SWIMMING POOL BARRIERS". THIS CODE CALLS UP AND MODIFIES THE AUSTRALIAN STANDARD AS1926.2007.

- GARAGE DOORS ARE TO COMPLY WITH THE AUSTRALIAN STANDARD AS/NZS 4505 & AS/NZS 1170.2
- ALL WINDOWS ARE TO COMPLY WITH PART 3.9.2.6 OF THE BCA VOLUME 2 AND N.C.C. D2.24 WINDOW FLASHING DETAILS AS PER PART 3.5.4.6 OF THE NCC VOL. 2

VAPOUR BARRIER (CLASS 1 OR 2) IN ACCORDANCE WITH AS/NZS 4200.1:2017 AND BULK WALL INSULATION.

WINDOW LEGEND	
SGD	SLIDING GLASS DOOR
DH	DOUBLE HUNG
O	FIXED PANEL
X	SLIDING PANEL
OBS	OBSCURE GLASS
EXAMPLE	
1518 OX	1500 H x 1800 W - FIXED / SLIDING

CERTIFIED AS STRUCTURALLY ADEQUATE

KFB Engineers Civil & Structural
1/35-42 Peace St, Cairns | PO Box 927, Cairns Q 4870
P: 07 40320492 | F: 07 40320892 | E: info@kfbeng.com.au

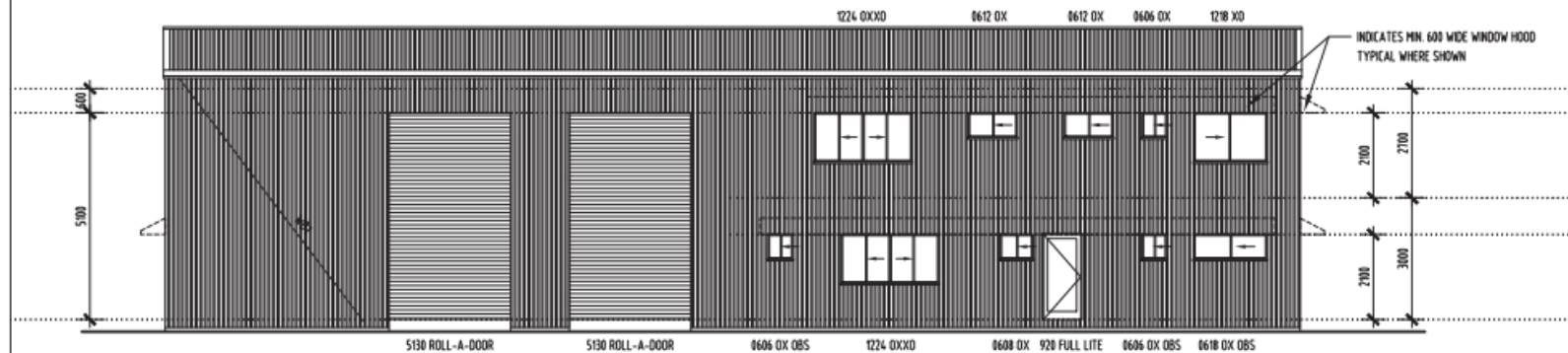
Date: 26/05/24 Signed: 
Job No: K-11880 RPEQ No: 5711

VAPOUR BARRIER (CLASS 1 OR 2) IN ACCORDANCE WITH AS/NZS 4200.1:2017 AND BULK WALL INSULATION.

ELEVATION
1:100

Drawn: G.W.M. Job Number: 24041
Scale: AS SHOWN Sheet Number: WD-1/7
Date: MAR.2024 © Copyright Retained
Client: J & C CAIRNS - LOT 8 SANTACATTERINA ROAD, FINLAYVALE
DRAWN BY: J. HALL

WIND CLASSIFICATION - C2

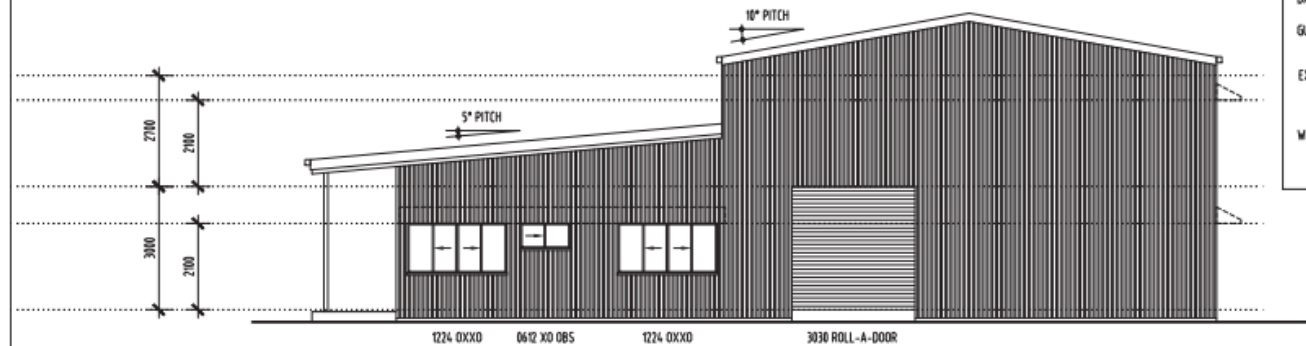


3
3
ELEVATION
1:100

GARAGE DOORS ARE TO COMPLY WITH THE AUSTRALIAN STANDARD AS/NZS 4595 & AS/NZS 1170.2

ELEVATION NOTES

ROOF	COLORBOND CUSTOM TRIMDEK SHEETING FIXED TO MANUF. SPEC. FOR WIND CLASSIFICATION C2
FASCIAS & BARGES	COLORBOND G.I. METAL SELECT COLOUR BARGES
GUTTERING	SELECT COLORBOND SQUARELINE GUTTERING
EXTERNAL WALL	COLORBOND CUSTOM TRIMDEK SHEETING FIXED TO MANUF. SPEC. FOR WIND CLASSIFICATION C2
WINDOWS	POWDER COATED ALUMINUM FRAME CLEAR GLAZING - U.N.O. REFER PLAN FOR SIZE & LOCATION



4
3
ELEVATION
1:100

CERTIFIED AS STRUCTURALLY ADEQUATE

KFB Engineers Civil & Structural
1/35-42 Pease St, Cairns | PO Box 927, Cairns Q 4870
P: 07 40320492 | F: 07 40320992 | E: enq@kfbeng.com.au

Date: 26/6/24 Signed: [Signature]
Job No: K-1188Q RPEQ No: 5711

Drawn G.W.M. Job Number 24041
Scale AS SHOWN Sheet Number WD-1/8
Date MAR.2024 © Copyright Retained MAR SHALL DESIGN
Client:- J & C CARNS - LOT 8 SANTACATERINA ROAD, FINLAYVALE D.B.C.C. No. 63487

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 Shire Planning Scheme.*
 - 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 26/11/2025 under section 51 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;*
 - b. *the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.*
3. *Evidence or other material on which findings were based:*
 - a. *the development triggered assessable development under the Assessment Table associated with the 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.*

Planning Act 2016
Chapter 3 Development assessment

[s 74]

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

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

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

75 Making change representations

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

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

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

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

76 Deciding change representations

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

Note—

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

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

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

Subdivision 2 Changes after appeal period

77 What this subdivision is about

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

78 Making change application

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

Note—

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

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

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;
and
- (iv) who may elect to be a co-respondent in an appeal of the matter.

Note—

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

- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and*

Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.

- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and

- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

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