

27 March 2019

Enquiries: Jenny Elphinstone
Our Ref: MCUC 3025/2019 (Doc ID 895143)
Your Ref: 20190100

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

Peter and Tracey Lewis
C/ GMA Certification
PO Box 831
PORT DOUGLAS QLD 4877

Attention Mr Patrick Clifton

Dear Sir

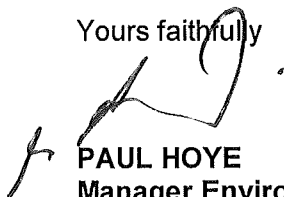
**MINOR CHANGE TO DEVELOPMENT PERMIT TPC444
MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING (DUPLEX)
AT 5 TROCHUS CLOSE, PORT DOUGLAS
ON LAND DESCRIBED AS LOTS 0, 1 AND 2 ON SP248510.**

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

Please quote Council's application number: MCUC 3025/2019 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully



PAUL HOYE
Manager Environment and Planning

encl.

- Decision Notice
- Approved Plans
- Rights of Appeal

DOUGLAS SHIRE COUNCIL
DECISION NOTICE
APPROVAL (WITH CONDITIONS)
(GIVEN UNDER SECTIONS 81 & 83 OF THE PLANNING ACT 2016)

Council refers to your development application detailed below which was properly made on 28 February 2019. Please be aware that Douglas Shire Council has assessed your application and decided it as follows.

1. Applicant's details

Name: Peter and Tracey Lewis
Postal Address: C/ Patrick Clifton, GMA Certification
PO Box 831
Port Douglas Qld 4877

2. Location details

Street address: 5 Trochus Close, Port Douglas
Real property description: Lots 0, 1 and 2 on SP248510
Assessment Manager: Douglas Shire Council

3. Development permit

Development Permit TPC 444 issued 12 May 1988 by the former Douglas Shire Council for the development of a duplex on land at 5 Trochus Close, Port Douglas, more particularly previously described as Lot 12 on RP726580, now known as Lots 0, 1 and 2 on SP248510. A copy of the Development Permit is included in Attachment 2.

4. Details of the proposed development

A minor change to the Development Permit TPC 444 for extensions and refurbishment of the existing dual occupancy development.

5. Decision

Date of Decision 27 March 2019
Decision details: Development Permit approved in full whereby:

1. Condition 5 is deleted as follows:
~~The applicant is to comply with the Traffic Act, with [particular reference to the ingress and egress of vehicles to and from the site in forward gear. To enable this, the applicant shall construct a manoeuvring bay in the area between the north-eastern unit and the front boundary.~~
2. Additional conditions are included on the approval. These additional conditions are set out in Schedule 1.
3. The other conditions of the approval remain unchanged.

Reasons for supporting the decision, despite the conflict with benchmarks – as tabled below.

6. Approved plans and specifications

Subject to amended plans as per the additional conditions in Schedule 1. Copies of the following plans, specifications and/or drawings are enclosed in Attachment 1.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Site Coverage and Perspective Proposed Renovations 5 Trochus Court, Port Douglas	Unknown	Unknown	Sheet 1.0. Refer to Council document ID 892993.	Revision E dated 14 February 2019 and as amended by the conditions of the approval requiring landscape setbacks.
Site Plan Proposed Renovations 5 Trochus Court, Port Douglas	Unknown	Unknown	Sheet 2.0. Refer to Council document ID 892993.	Revision E dated 14 February 2019 and as amended by the conditions of the approval requiring landscape setbacks.
Roof Plan Proposed Renovations 5 Trochus Court, Port Douglas	Unknown	14 February 2019	Sheet 2.1 Refer to Council document ID 892993.	Revision E.
Elevations Proposed Renovations 5 Trochus Court, Port Douglas	Unknown	14 February 2019	Sheets 3.0 and 3.1 Refer to Council document ID 892993.	Revision E.
Street Perspectives Proposed Renovations 5 Trochus Court, Port Douglas	Unknown	14 February 2019	Sheet 3.2 Refer to Council document ID 892993.	Revision E.

7. 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 2002*.

8. Properly made submissions

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

9. Referral agencies for the application

Not applicable

10. 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(1)(a)(i) of the *Planning Act 2016*.

11. Reasons for decision

The reasons for this decision are:

1. Section 81 of the *Planning Act 2016*:
 - a. The original application together with the approved minor changes as above;
 - b. To ensure the development satisfies the benchmarks of the 1981 Planning Scheme for the Whole of the Douglas Shire;
 - c. To ensure the development satisfies the benchmarks of the 2018 Douglas Shire Council Planning Scheme; and
 - d. To ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
 - a. The application for a minor change was properly lodged to the Douglas Shire Council on the 28 February 2019 under sections 78-80 of the *Planning Act 2016*;
3. Evidence or other material on which findings were based:
 - a. Council undertook an investigation of assessment of the development, including the proposed minor change, against the State Development Requirements, the 1981 Planning Scheme for the Whole of the Douglas Shire and the 2018 Douglas Shire Council Planning Scheme in making its assessment manager decision;
 - b. Council undertook an assessment in accordance with the provisions of section 81 of the *Planning Act 2016*; and

c. The following findings are made:

- i. Subject to the additional assessment manager's conditions the development satisfactorily meets the planning considerations sufficient for the assessment of the applications against section 81 of the *Planning Act 2016*; and
- ii. In respect to section 83(9)(e) of the *Planning Act 2016*:

Benchmark reference	Reasons for the approval or approval subject to conditions despite non-compliance with any of the benchmark.
1981 Planning Scheme for the Whole of the Douglas Shire	
By-Law 3(1)(b)(iii) configuration of open space whereby 50% of the requirement is provided in one area with a maximum length and width ratio of two and one-half to one (2.5:1).	The proposed private open space yards, now appurtenant to each unit meets the 2018 Douglas Shire Planning Scheme Dual Occupancy code requirement.
It is understood the requirement for a 6m setback of buildings from the street, the Residential Zone, was regulated under the Building Codes in 1988 when the Multiple Dwellings (duplex) was constructed. By-Law 3(1)(e) car spaces are not to be located between the building and the street frontage.	Assessment is considered against the 2018 Douglas Shire Planning Scheme and the development is found to be suitable having regard to the conditions requiring further landscaping.
By-Law 7(1)(a) provision of 3 car spaces on the land.	Consideration is deferred to the current Scheme.
2018 Douglas Shire Planning Scheme	
Low-Medium Density Residential Zone	
PO2 Buildings are setback to: (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping.	The impact of the buildings can be reduced condition requiring a 1m wide deeply landscaped setback to the frontage.
PO3 The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	The impact of the buildings can be reduced condition requiring a 1m wide deeply landscaped setback to the frontage.

Benchmark reference	Reasons for the approval or approval subject to conditions despite non-compliance with any of the benchmark.
<p>Port Douglas / Craiglie Local Plan Code</p> <p>PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas / Craiglie Townscape Plan map contained in Schedule 2).</p> <p>PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.</p>	<p>A condition of the approval requires a 1m wide deeply planted landscape strip to the site frontage or suitable tropical species.</p>
<p>Flood and Storm Tide Overlay</p> <p>PO1 Development is located and designed to:</p> <ul style="list-style-type: none"> • ensure the safety of all persons; • minimise damage to the development and contents of buildings; • provide suitable amenity; • minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>A condition of the approval requires the new habitable floor area to meet the current level for habitable rooms of the units and this is considered sufficient and reasonable.</p>
<p>Dual Occupancy Code</p> <p>PO2 Buildings and structures are setback from property boundaries such that:</p> <ol style="list-style-type: none"> (a) the setback from the street frontages reflects the positive attributes of the streetscape; (b) the setback from side and rear boundaries retains daylight access and privacy for adjoining properties; (c) the setback from all boundaries is sufficient to allow areas of deep planting; (d) the setback from street frontages provides for the desired streetscape pattern. 	<p>The impact of the buildings can be reduced condition requiring a 1m wide deeply landscaped setback to the frontage.</p>

Benchmark reference	Reasons for the approval or approval subject to conditions despite non-compliance with any of the benchmark.
<p>PO8 Landscaping contributes to establishing an attractive and safe streetscape and a high standard of amenity and privacy for residents.</p>	<p>A condition requires a 1m wide deeply landscaped setback to the frontage.</p>
<p>Access, Parking and Servicing code</p> <p>PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:</p> <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	<p>The certainty of whether continuing use rights for only one space per unit is not qualified on way or another. The development is located in a small cul-de-sac street and there is availability of parking on the street.</p>
<p>Landscaping Code</p> <p>PO1 Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</p> <ul style="list-style-type: none"> (a) promoting the Shire's character as a tropical environment; (b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape; (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development; 	<p>Having regard to the advice that the existing swimming pool for unit 1 is to be retained and the swimming pool for Unit 2 will have a similar alignment, a condition requires a 1m wide deeply landscaped setback to the frontage and suitable landscaping to the remainder of the site. The species must meet the Landscaping Policy requirements.</p>

Benchmark reference	Reasons for the approval or approval subject to conditions despite non-compliance with any of the benchmark.
<p>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</p> <p>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</p> <p>(g) ensuring private outdoor recreation space is useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p> <p>PO2 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p> <p>PO3 Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.</p> <p>PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	

12. Infrastructure charges notice

Developer contributions were paid for the original development approval. The current adopted charges are not weighted against the number of habitable rooms or size of the flats and there is no further infrastructure charge requirement in this instance.

13. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions for the applications are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*). A copy of the relevant appeal provisions are included in Schedule 2.

SCHEDULE 1 ADDITIONAL ASSESSMENT MANAGER CONDITIONS

The following additional conditions apply to the Development Permit TPC 444

Approval Plans

10. 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

11. The conditions of the Development Permit must be effected prior to the Commencement of use of the additional floor area and structures, except or as specified otherwise in these conditions of approval.

Landscape Setback

12. The setback area from the front boundary (excluding the carports) for a distance of at least 1m is to be deeply planted with tropical vegetation to achieve a buffer screen to the streetscape of at least 1.5m height and to be complimented with a fence. Where the fence is 1.2m (generally as detailed on the submitted plans with transparency of at least 50%). The vegetation species used for the front setback must accord with schedule 6.6. Planning Scheme Landscape Policy (2108 Douglas Shire Planning Scheme). The side setbacks must be suitably landscaped where the buildings are site more than 1m from the boundary. The rear yard must be suitably landscaped. A copy of the landscape plan must be provided to Council prior to the issue of a Development Permit for Building Work and must be installed prior to the commencement of use of the renovated units.

New Habitable Room Floor Level

13. The new habitable floor areas must be at least the same or similar to the current level for habitable rooms of the units.

The following Advice applies to the amended Development Permit TPC 444.

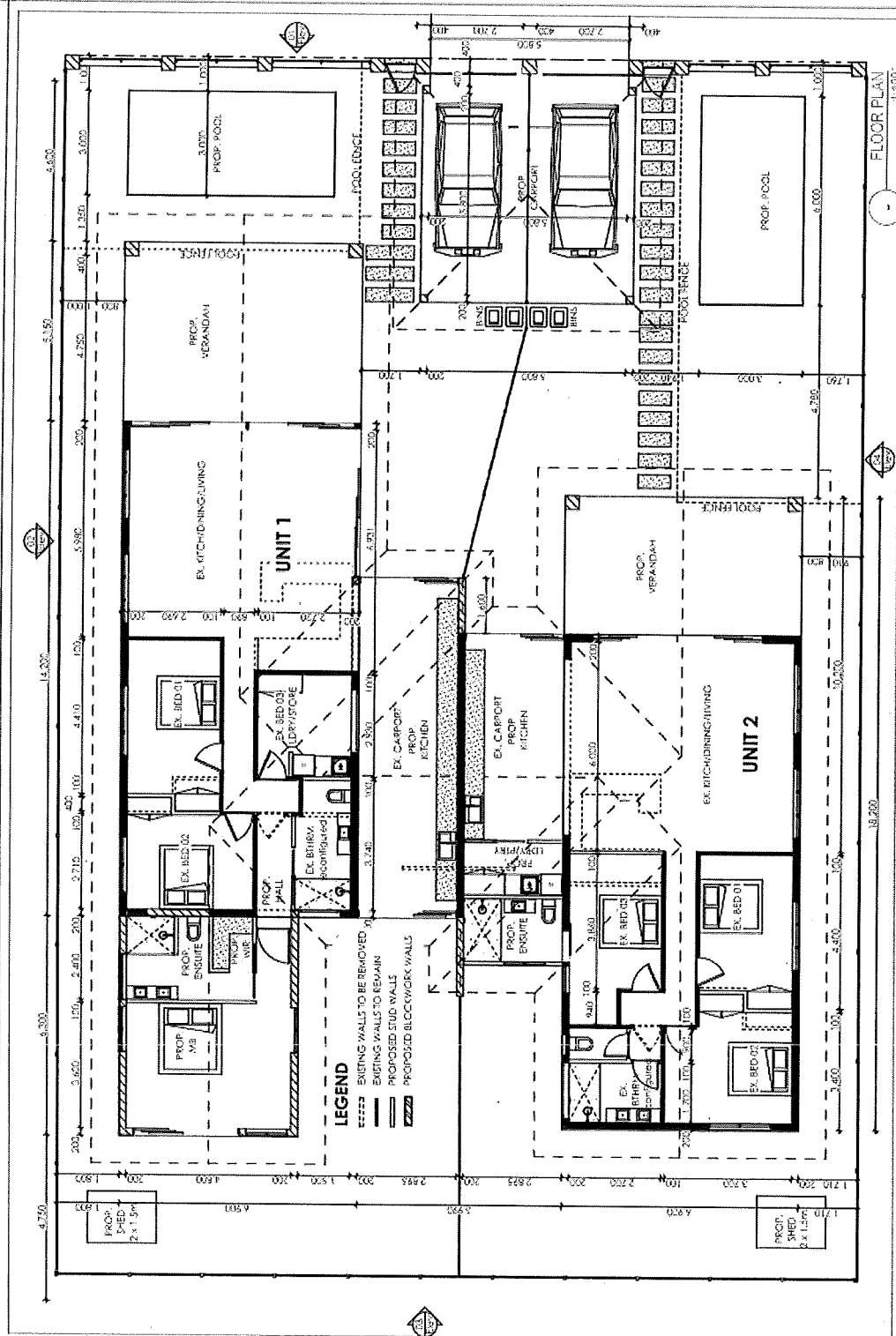
Advice

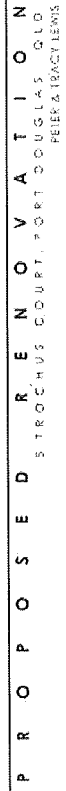
1. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
2. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. For information relating to 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.
4. Note as the approval is for a minor change to the original application no separate approval is necessary for building work made assessable against the Planning Scheme.

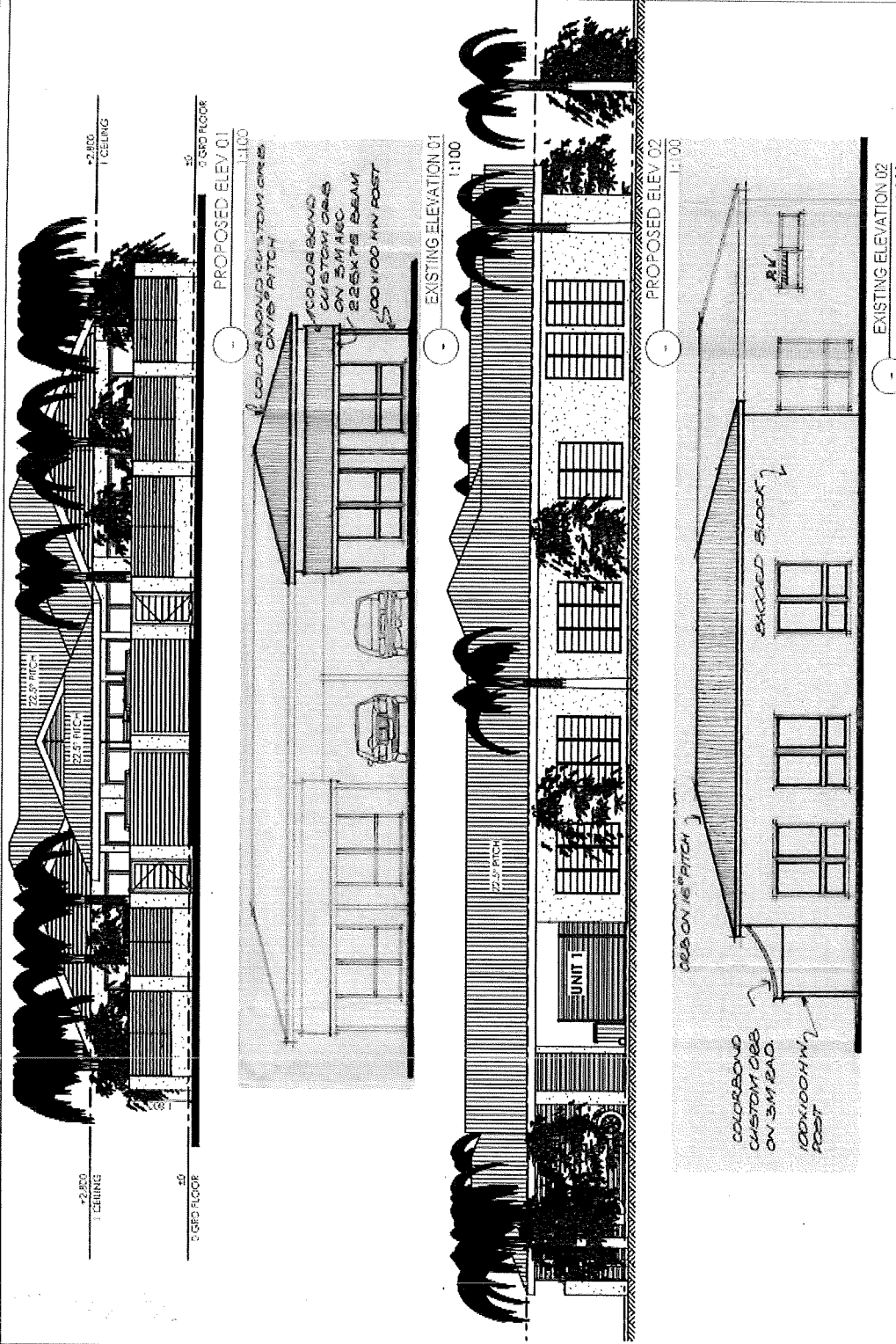
S K E T C H D E S I G N

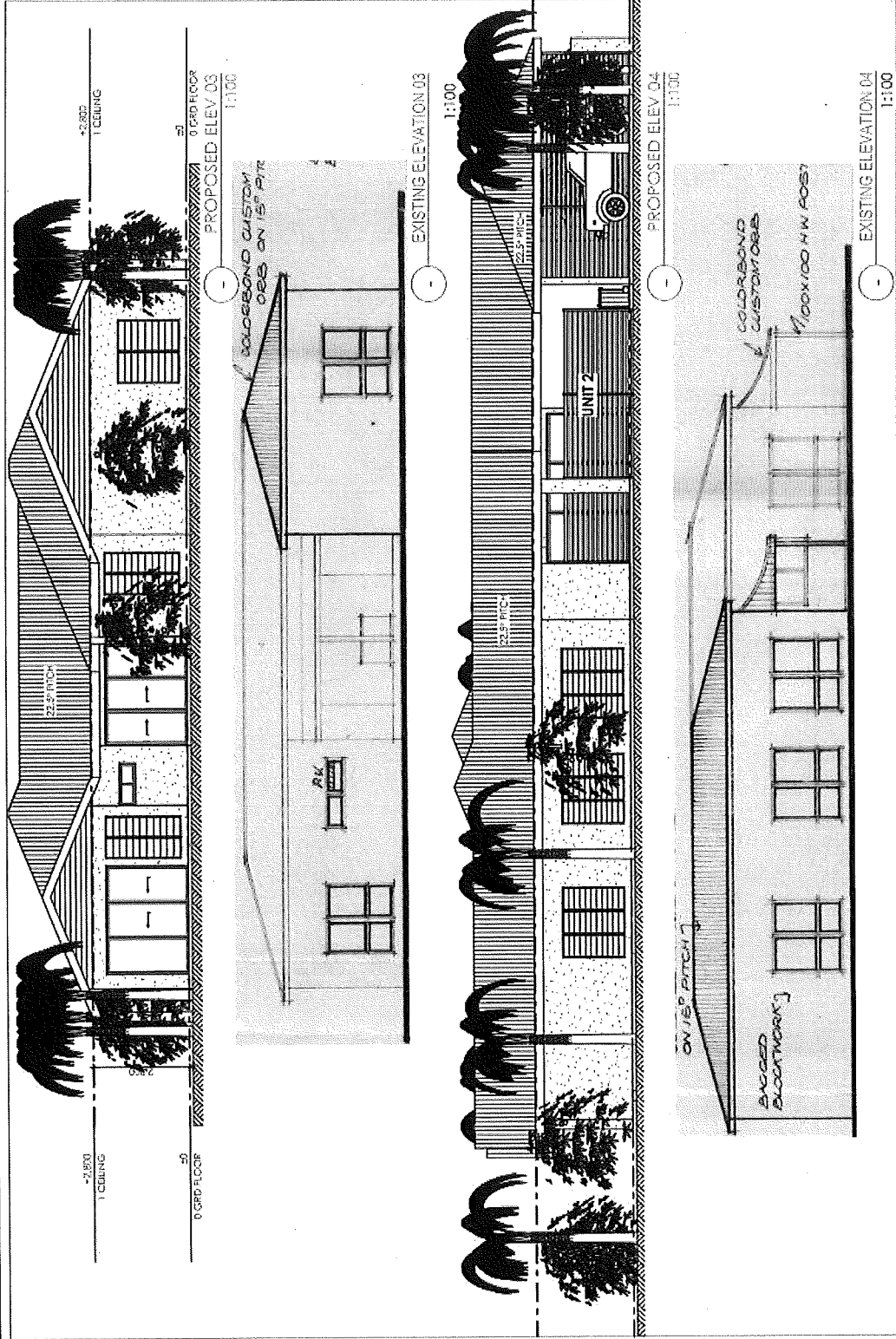


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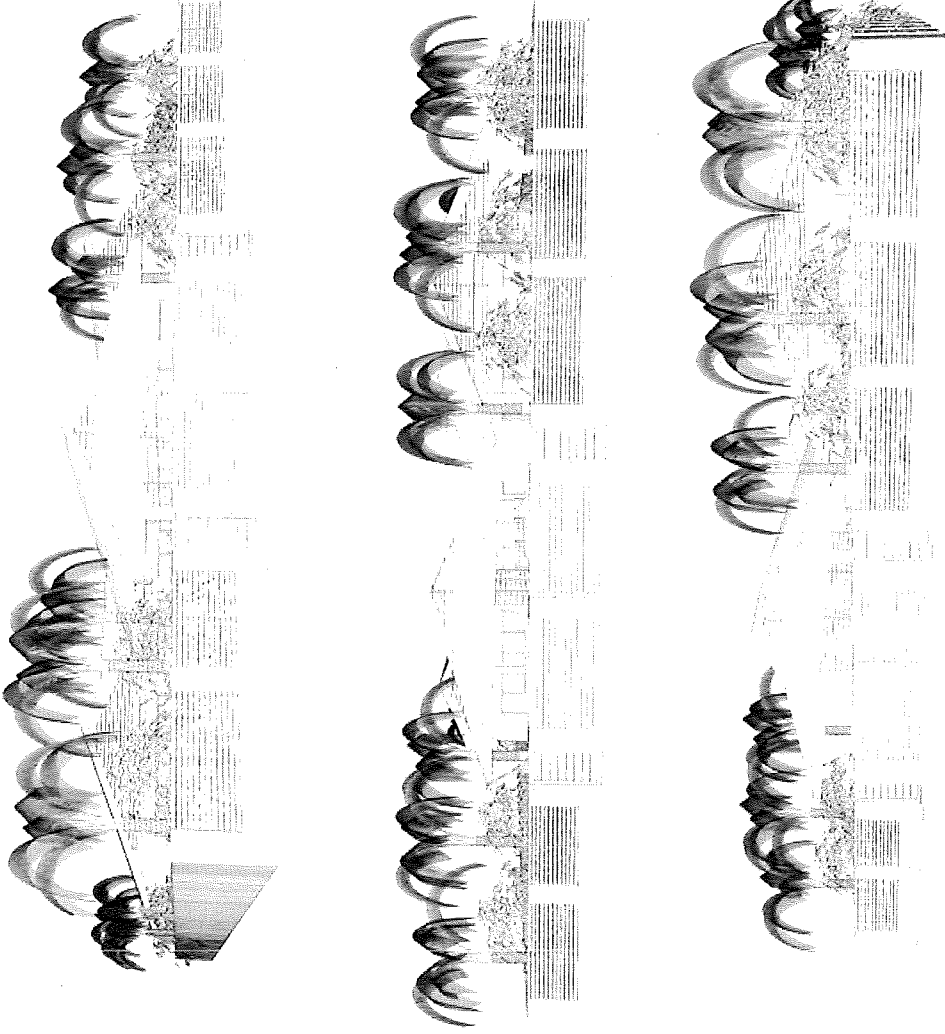








REV E
AS SHOWN
14/03/2019



P R O P O S E D R E N O V A T I O N
STROCHUS COURT PORT DOUGLAS QLD
PETER & TRACY LEWIS

21st February 2019

VOS Architect
dgv71@hotmail.com

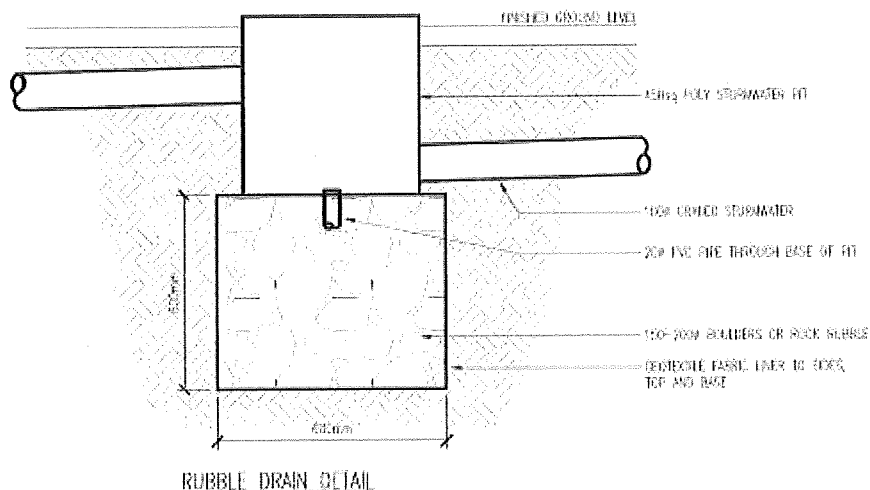
Att: Danielle Vos

Re: 5 Trochus Court – Port Douglas
Site Inspection Report

The existing stormwater drainage is to be replaced with new.
The proposal is to have all downpipes discharge to the street kerb and channel via a gravity drainage system. There is insufficient fall from the rear of the property to the kerb and channel. The proposal is to install a stormwater pit at the front boundary with a rock rubble drain under. This design allows for most of the stormwater to discharge to kerb and channel and the remaining water after the rain event will absorb into the sand.

The rear of the property does not have enough fall to gravity fall to the kerb. The proposal is to grade the turfed areas to a stormwater pump station and discharge to kerb and channel.

The location of the Carport/Garage on the boundary is more suitable hydraulically. The downpipes from this roof will be able to discharge direct to kerb. If the garage was recessed into the property, there is insufficient fall to get this to the boundary and another pump station would need to be installed. The additional load on the electrical system and hydraulic system would be too excessive.

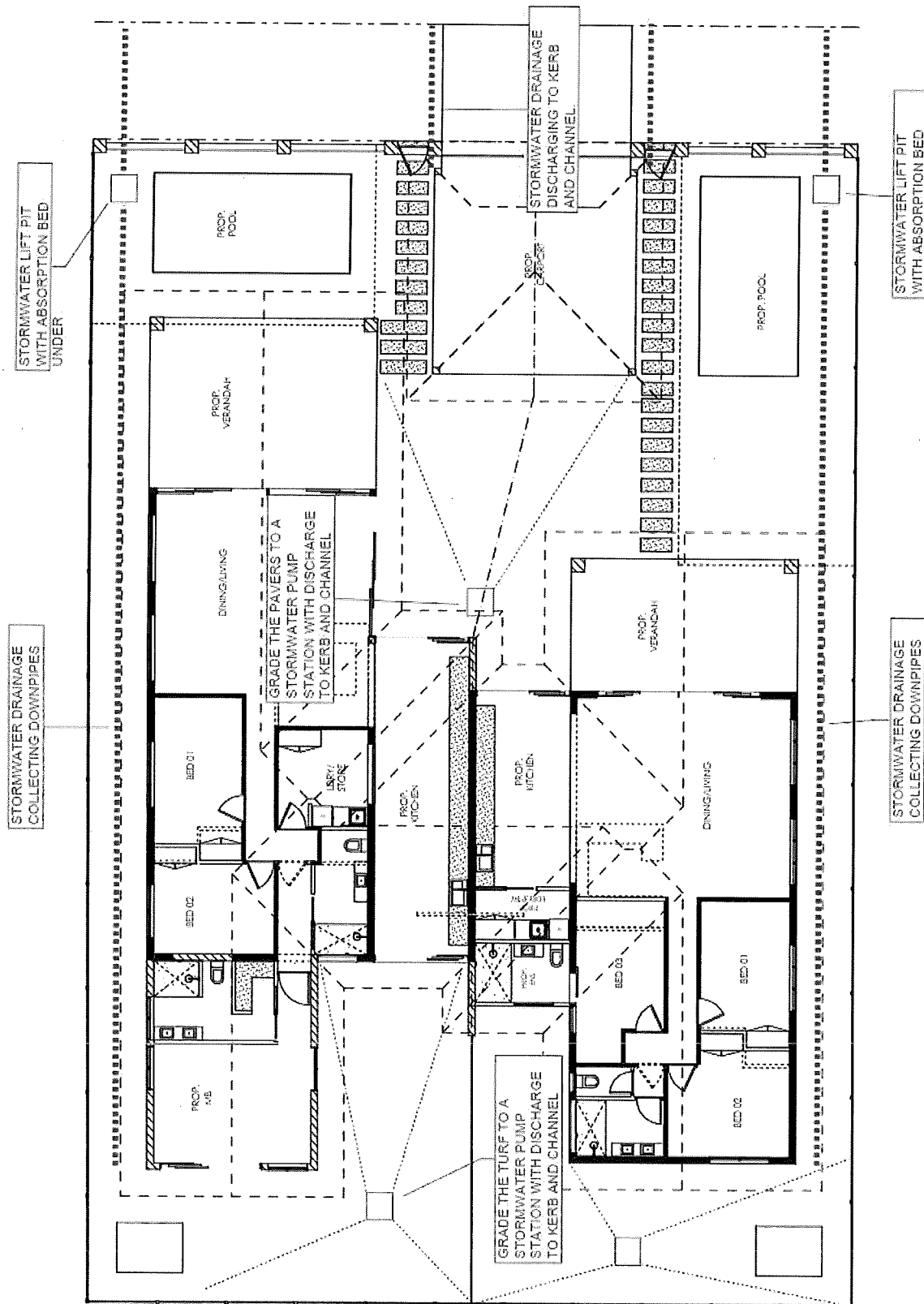


For further information or clarification on the above, please do not hesitate to contact the under signed on 40321468.

Yours Faithfully



Shane Barnes
Principal



DOUGLAS SHIRE COUNCIL



TELEPHONE (077) 28 1555 - ADMINISTRATION OFFICES
28 1844 - WORKS DEPT
53 1822 - ENGINEERING OFFICE
FAX No 1070 28 1902

P.O. BOX 357
MOSSMAN Q. 4873

ALL COMMUNICATIONS TO BE ADDRESSED TO
THE SHIRE CLERK

IF CALLING OR TELEPHONING ON THIS MATTER
ASK FOR:

Mr J F Parsons

QUOTE REFERENCE

T2A JFP:DLC

YOUR REFERENCE

EC & LM Jackson,
97 Davidson Street,
PORT DOUGLAS. Q. 4871

12th May, 1988.

Dear Sir,

RE: Town Planning Scheme Application No. 444

I refer to your undated application for land use approval under the provisions of the Town Planning Scheme for the development of a Duplex on land described as Lot 12 RP 726580 Parish of Salisbury, County of Solander.

This application has been considered by Council and I have to advise that consent has been granted thereto subject to the following conditions:-

1. Should work on the development as approved not be commenced within a period of two (2) years from the date of this approval, Council may implement action to revoke the approval as given.
2. The Building Application must be in accordance with the Building Act when submitted and must also substantially comply with the sketch plan submitted with the consent application.
3. The approval does not constitute a Building Permit and a Building Permit must be obtained before any building operations proceed.
4. The development must comply with the provisions of:-
 - (a) Council's Town Planning Scheme;
 - (b) Council's Development Control Plans;
 - (c) The Local Government Act, The Building Act, The Fire Safety Act, and all other relevant acts and regulations and the By-Laws of the Council shall at all times be observed and performed in relation to the land, the building, and the use and occupation thereof.
5. The applicant is to comply with the Traffic Act, with particular reference to the ingress and egress of vehicles to and from the site in forward gear. To enable this, the applicant shall construct a manouvering bay in the area between the north-eastern unit and the front boundary.

- EC & LM JACKSON -

6. All internal driveways, parking areas and vehicle manoeuvring areas shall be bitumen or otherwise imperviously sealed, drained and line marked to the satisfaction of the Building Surveyor. The driveway from the property alignment to the existing bitumen is to be sealed.

7. The setback areas along the front boundary is to be extensively landscaped, in accordance with a landscape plan to be submitted to and approved by Council, so as to provide an effective visual barrier to adjoining properties. Such landscaping is to be established within a period of six (6) months from completion of the building.

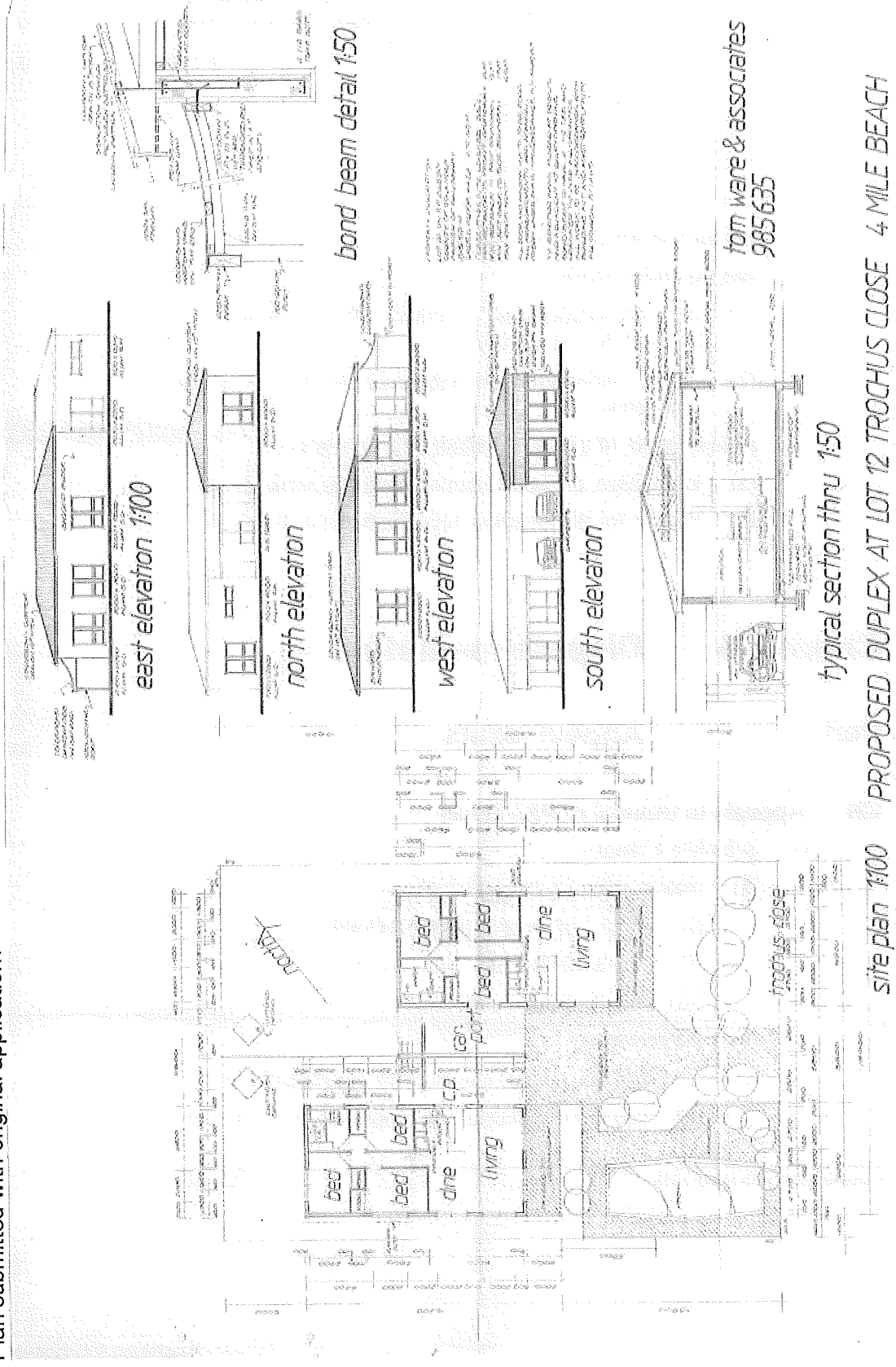
8. The applicant is to contribute, in accordance with Council's policy provided for in Section 33 (18e) and 33 (18f) of the Local Government Act, towards the provision of water headworks. The contribution is to be paid at the time of the building application at the rate current at that time. On the basis of the Facts and Circumstances set out in the application and the current provisions of the policy, the estimated contribution is Five Thousand Two Hundred and Eighty Dollars (\$5,280.00).

9. If sewerage is available to the site at the time of lodgement of the building application, the applicant is to contribute, in accordance with Council's policy provided for in Section 33 (18e) and 33 (18f) of the Local Government Act, towards the provision of sewerage headworks. The contribution is to be paid at the time of the building application at the rate current at that time. On the basis of the Facts and Circumstances set out in the application and the current provisions of the policy, the estimated contribution is Four Thousand Six Hundred Dollars (\$4,600.00).

Yours faithfully,

A.J. Twomey,
SHIRE CLERK.

Plan submitted with original application



-
- (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.
- (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 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, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (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 Other appeals

- (1) Subject to this chapter, 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.