

Our ref: PR152305/PC/SD/L81294

135 Abbott Street
Cairns QLD 4870
T +61 7 4031 1336

Date: 25 May 2022

The Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873

Attn: Neil Beck

Dear Neil,

Lot 3 Ferrero Road, Craiglie

Extension application for a development approval (pursuant to Section 86 of the Planning Act 2016)

Council Ref: MCUC 2359/2017

RPS Australia East Pty Ltd act on behalf of Prosilio Pty Ltd (the 'applicant') in respect of an application for an extension to the currency period of an extant approval for the Material Change of Use of premises located at Lot 3 Ferrero Road, Craiglie, and described as Lot 3 on SP161461 for the purpose of a Dwelling House (Council Ref: MCUC 2359/2017).

The development approval comprises

- Development Permit for Material Change of Use for a Dwelling House.

On behalf of Prosilio Pty Ltd, we lodge this application for an extension to the currency period of the approval in accordance with section 86 of the *Planning Act 2016*.

In accordance with Council's current fee schedule, the relevant application fee of \$988.00 is to be paid by the applicant upon receipt of the applicable invoice.

Proposed extension to the currency period

We note the following dates and durations apply in respect of the extant approval and the application:

- | | |
|---|------------------|
| • Assessment Manager's date of decision | 16 November 2017 |
| • Applicant's receipt of decision notice | 17 November 2017 |
| • Date the approval took effect | 17 November 2017 |
| • Relevant currency period | 6 years |
| • Expiration of the currency period | 17 November 2023 |
| • We request the extension of the currency period until | 17 November 2027 |

In support of this application, please find attached the following information required under Section 86 of the Act

- **Attachment A:** Original Development Approval - 2017/4418
- **Attachment B:** Approved Building Design concept plans.

Planning Act 2016

Section 86 of the *Planning Act 2016* states:

- (1) A person may make an application (an extension application) to the assessment manager to extend a currency period of a development approval before the approval lapses.*
- (2) The extension application must be—*
 - (a) made—*
 - (i) if the assessment manager has a form for the application—in the form; or*
 - (ii) by notice; and*
 - (a) accompanied by the required fee.*
- (2A) Also, the extension application must be accompanied by the written consent of the owner of the premises the subject of the development approval to the extent—*
 - (a) the applicant is not the owner; and*
 - (b) the development approval is for—*
 - (i) a material change of use of premises or reconfiguring a lot; or*
 - (ii) works on premises that are below high-water mark and outside a canal; and*
 - (c) the premises are not excluded premises.*

In this instance the currency period of the approval has not lapsed, the Council does not have a form for the application and the applicant is the owner of the land. On this basis, it is considered that the application complies with the requirements of the act for a properly made application.

Proposed Development

The approved development relates to a single detached dwelling house and a detached secondary dwelling, to be located on Lot 3 Ferrero Road, Craiglie, more formally described as Lot 3 on SP161461.

The approved development was designed by Greg Skyring Design and Drafting and was informed by and responds to existing terrain and the presence of regulated vegetation on the subject site. The approved Greg Skyring Design and Drafting Concept Plans are provided for reference as **Attachment B**. The design of the proposed dwelling and secondary dwelling was informed by the location of the proposed dwellings, specifically topographic constraints, assessment of regulated vegetation and any land stability issues. In response, the concept design is of raised construction as opposed to 'slab on ground', complies with the maximum building height and avoids areas of significant vegetation, being located within the Category X area. The approved building design also intends to incorporate building materials and colours, which mitigate any potential visual amenity issues associated with the approved dwellings.

The approved development will also incorporate sufficient building setbacks and the inclusion of a six (6) metre wide landscape buffer to the road frontage to mitigate visual impact of the approved development and to alleviate dust nuisance impacts from the unsealed road (Ferrero Road).

Planning Considerations

In the period post granting of the development approval, the economic climate and property market conditions have not been conducive to the commencement of the project works. However, recent improvement in market conditions in the Douglas Shire and wider Far North Queensland Region have improved the financial viability of the project. The applicant requests a four (4) year extension of the currency period to enable sufficient time for applicant to prepare detailed building design to obtain Building Works Approval and commence the change of use.

Superseded Douglas Shire Planning Scheme 2006

Whilst the original approval was issued under the previous planning scheme, the proposed development is considered generally consistent with the current Douglas Shire Planning Scheme 2018, which commenced in 2018. Under the superseded 2006 Douglas Shire Planning Scheme, the site had the following designations/classifications:

- Planning Area – Rural Settlement;
- Overlay:

- Natural Hazards Bushfire Risk (Medium Risk Hazard);

The approval for Material Change of Use under the superseded planning scheme was required as the proposed development did not satisfy the required front boundary setback of the Rural Planning area Code of 20 metres.

Current Planning Scheme Provisions and Relationship with Approved Development

Under the current Douglas Shire Planning Scheme 2018 (v1.0), the subject site is included within the following designations:

- Strategic Framework – Natural Areas / Scenic Values designation;
- Rural Zone;
- Overlays:
 - Bushfire hazard Overlay Maps (Potential Impact Buffer, Very High and High Potential Bushfire Intensity);
 - Hillslopes Overlay (Area affected by Hillslopes);
 - Landscape Values Overlay (High and Medium Landscape Values);
 - Landslide Overlay (Landslide Hazard – High & Medium Hazard Risk);
 - Natural Areas Overlay (MSES – Wildlife Habitat and MSES – Regulated Vegetation); and
 - Transport Road Hierarchy Overlay (Unformed Road).

In accordance with the Tables of Assessment, the development of a Dwelling House, is Accepted Development subject to requirements and does not require a planning approval where it complies with the relevant provisions of the relevant Planning Scheme codes. This includes a setback of 20 metres to the road frontage and not being located in the Hillslopes Area. With the exception of the hillslopes overlay code, the planning considerations in respect of the development under the current planning scheme are largely consistent with those under the superseded scheme.

A review of the 2018 Planning Scheme's provisions indicates that the approved development is generally consistent with the 'Acceptable Outcomes' of the Planning Schemes Codes that are applicable and/or considered relevant to the proposed development's siting and design. Where the approved development is located within the area affected by Hillslopes Overlay Map, and not consistent with the "Acceptable Outcomes", the proposed development is generally considered to adequately address the applicable 'Performance Outcome'. The approved development addresses the "Performance Outcome" through the provision of suitable building materials and colours that mitigate visual impacts on the landscape character and visual amenity and are supported with the provision of a six (6) metre wide landscape buffer that screens the proposed dwellings, protecting the scenic backdrop of the hillslopes.

It is considered that the proposed development, were it the subject of a fresh application, would not result in a requirement to consider matters that did not form part of the consideration of the original application.

Conclusion

Council's granting of an extension of currency period for an additional four (4) years for the current Material Change of Use Approval for Dwelling House has considerable merit based upon Council's Planning Scheme provisions and is considered appropriate for the subject land and Craiglie locality. The application is submitted for approval in accordance with section 87 (2) of the *Planning Act 2016*.

Should you have any questions in respect of this application please do not hesitate to contact the undersigned.

Our ref: PR152305/PC/SD/L81294

Yours sincerely,
for RPS Australia East Pty Ltd



Stacey Devaney

Planner

stacey.devaney@rpsgroup.com.au

+61 740 311336

enc:

Attachment A: Original Development Approval - 2017/4418

Attachment B: Building Design Concept Plans

Our ref: PR152305/PC/SD/L81294

Attachment A

Original Development Approval – 2017/4418

16 November 2017

Enquiries: Jenny Elphinstone
Phone: (07) 4099 9482
Council Reference: MCUC 2359/2017 (D#834122)
Your Reference: 20174418

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

Prosilio Pty Ltd
PO Box 82
PORT DOUGLAS QLD 4877

Attention Mr Tony McGrath

Dear Sir

DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A HOUSE

AT L3 FERRERO ROAD CRAIGLIE ON LOT 3 ON SP161461

Council refers to the above development application as properly made with Council on 15 November 2017. Please find attached the Decision Notice.

Please quote Council's application number MCUC 2359/2017 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


SIMON CLARKE
A/Manager Sustainable Communities

encl.

- Decision Notice & associated schedules

cc GMA Certification adminpd@gmacert.com.au

DOUGLAS SHIRE COUNCIL
DECISION NOTICE — DEVELOPMENT PERMIT (WITH CONDITIONS)
(GIVEN UNDER SECTION 63 OF THE PLANNING ACT 2016)

Douglas Shire Council has assessed your application and decided it as follows.

1. Location details

Street address: Lot 3 Ferrero Road, Craiglie
Real property description: Lot 3 on SP161461
Local government area: Douglas Shire Council

2. Details of the proposed development

Development Permit for Material Change of Use for a House in respect to P4, Rural Planning Area Code, 2006 Douglas Shire Planning Scheme (as amended).

3. Decision

Decision details: A Development Permit for a Material Change of Use for a House is approved in full with conditions.

These conditions are set out in Schedule 1 and the approved plans are included in Schedule 2.

Date of decision: 16 November 2017

4. Approved drawing(s) and / or document(s)

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

Drawing/report title	Prepared by	Date	Reference no.	Version
3D Views Site Plan Detail Site Plan Floor and Area Plans, Floor Plan – Northern Half Floor Plan – Southern Half Elevations – Sheet 1 Elevations – Sheet 2	Greg Skyring Design & Drafting	9/10/2017	Sheets 1 - 8 of 8	A

A copy of the listed drawings(s) and / or documents is included in Schedule 2.

Schedule 1 - Conditions and advices imposed by the 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

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.

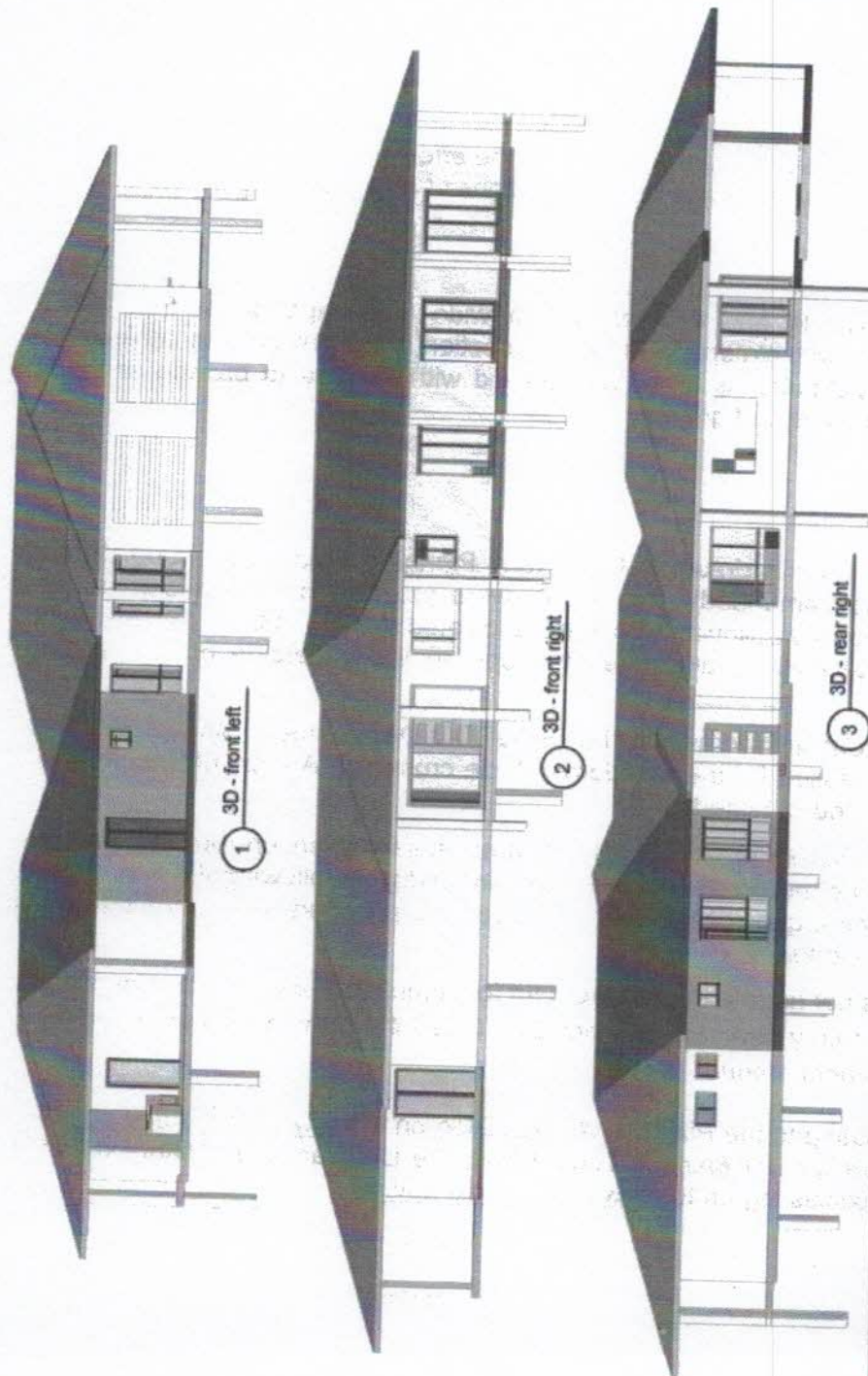
Landscape Buffer

3. The owner must provide and maintain a 6m wide landscape buffer from the property boundary to the road, with exception at the intersection of the driveway to achieve good sight lines. The landscape buffer is to be established with species to provide an approximate height of 2m after five years of growth.

Advice Notes

1. The Applicant's attention is drawn to P14, Rural Planning Area Code, 2006 Douglas Shire Planning Scheme (as amended). No details were provided or a development application sought regarding non-compliance with the associated A14.1. Given the elevation of the building the external finishes also need to apply to the underside of the building where exposed.
2. The Applicant's attention is drawn to the FNQROC Development Manual Drawing S1105 Rural Allotment Accesses for the standard vehicle crossing. A copy of the latest version of this drawing is included in Schedule 3.
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 including Council's Planning Scheme and the FNQROC Development Manual.
5. For information relating to the *Planning Act 2016* log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws, the Douglas Shire Planning Scheme and other applicable Policies log on to www.douglas.qld.gov.au .

Schedule 2 – Approved drawing(s) and / or document(s)



GREG SKYRING <i>Design</i> and DRAFTING Pty Ltd <small>Proprietor: Mr. 0871 4389281 11 Nail Cross, Mosman Q. 4873 Email: greg@skyringdesign.com.au</small>	PROJECT Proposed Residence, Ferraro Road, L3 SP161461, CRAIGLIE		CLIENT T. McGrath		PLAN NUMBER 408-17	SHEET 1 of 8
	SCALES		PLAN TITLE 3D Views		DATE OF ISSUE prelim 09.10.17	REV A

5. Conditions

This approval is subject to the conditions and advices included in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. 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.
- Approvals are also required for:
- All Plumbing and Drainage Work.

7. Properly made submissions

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

8. Referral agencies for the application

Not applicable

9. Currency period for the approval

Under section 85(1)(a) of the *Planning Act 2016*, the relevant period for any development approval is to be six (6) years starting from the day the approval takes effect.

10. Reasons for decision

The reasons for this decision are:

A. Section 60 of the *Planning Act 2016*:

- i. conditions 1 and 2; and
- ii. to ensure the development satisfies the Performance Criteria stated in P4, Rural Planning Area Code, 2006 Douglas Shire Planning Scheme (as amended).

B Findings on material questions of fact:

- i. The development application was properly lodged to the Douglas Shire Council on 15 November 2017 under section 51 of the *Planning Act 2016* and Part 1 of the Development Assessment Rules; and
- ii. The development application contained a report which Council reviewed together with Council's own investigation in making its assessment manager decision.

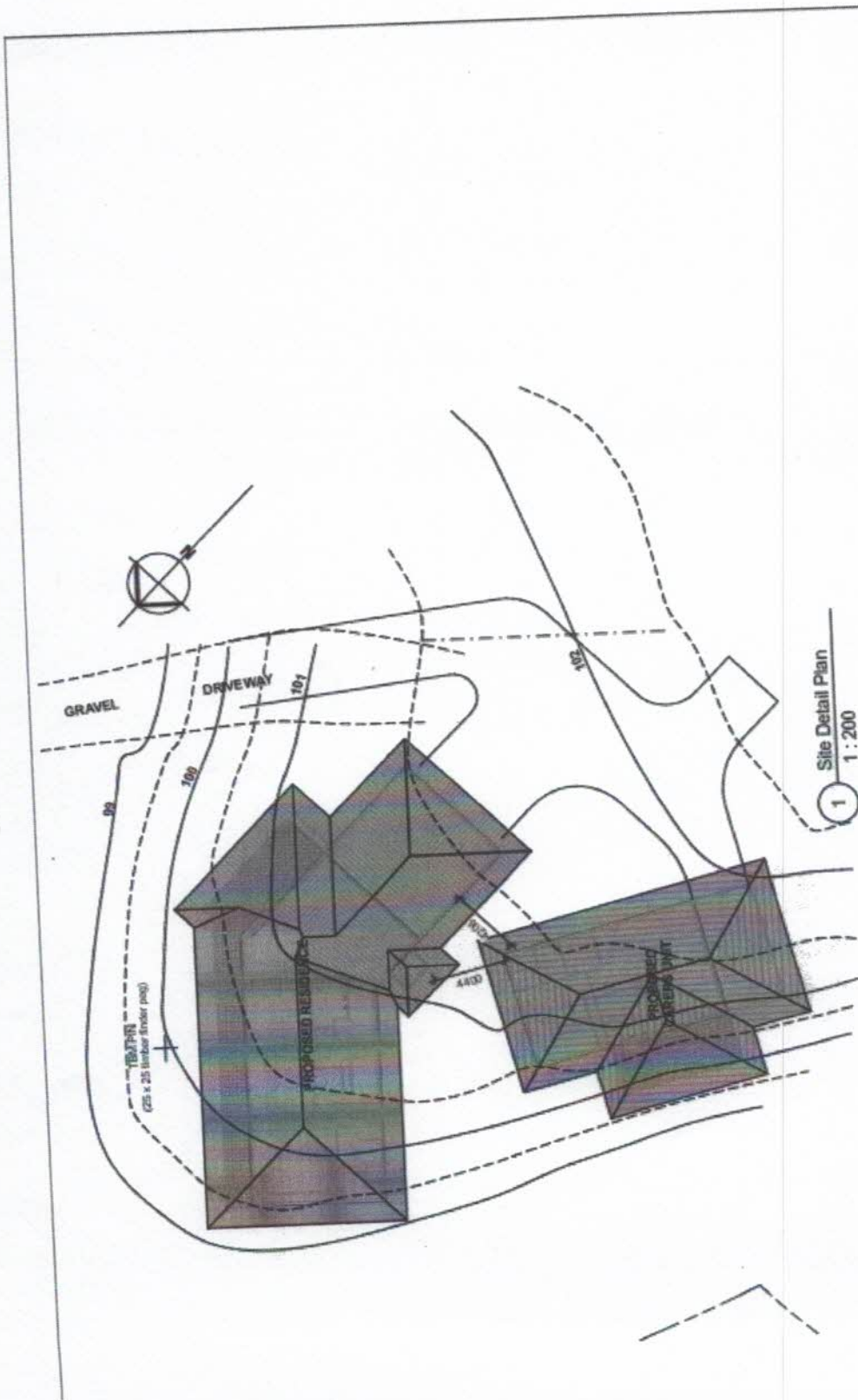
C. Evidence or other material on which findings were based:

- i. The development triggered assessable development under Performance Criteria stated in P4, Rural Planning Area Code, 2006 Douglas Shire Planning Scheme (as amended);
- ii. Council undertook an assessment in accordance with the provisions of section 60 of the *Planning Act 2016*; and
- iii. The applicant's reasons are concurred with and the following findings are also made:
 - a. As the road is of a gravel finish the land is subject to dust emissions in particular during the dry season. A condition of the approval requires the applicant to maintain a 6m wide vegetation buffer that has a height of approximately 2 metres, except at the driveway entry to ensure good sight lines. This condition is imposed to minimise the impact of dust from the road; and
 - b. No details have been provided regarding compliance or otherwise for P14 and the standard of vehicle access. It is noted no application has been lodged for non-compliance with the Acceptable Solution / Planning Scheme Policy. These matters can be sufficiently addressed by an Advice Statement.

11. Rights to make Representations and rights of appeal

The rights of applicants to make representations and to appeal are included in Schedule 4.

END DECISION NOTICE



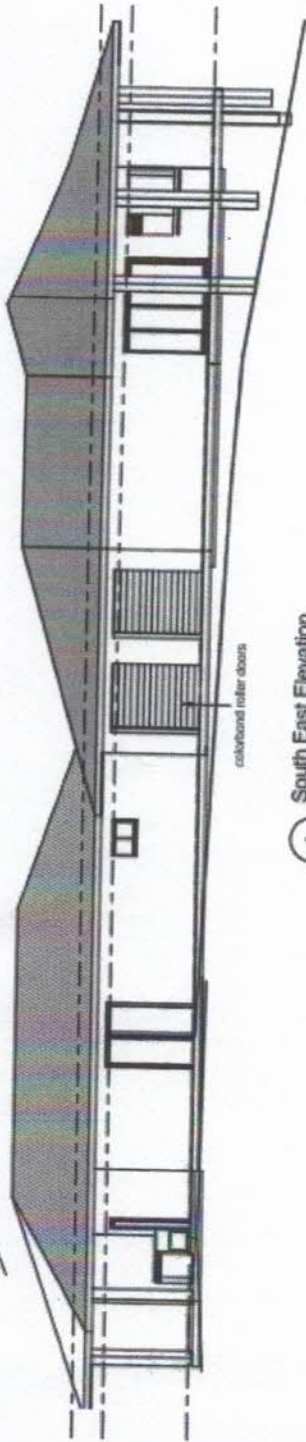
GREG SKYRING <i>Design</i> and DRAFTING Pty Ltd <small>SAC: UNDER GSDA ACT 1991 - No. 1683271 11 Noll Close, Mossman Q. 4873</small>	PROJECT Proposed Residence, Ferrero Road, L3 SP161461, CRAIGLIE		CLIENT T. McGrath		GRID CODE C2	PLAN NUMBER 408-17	SHEET 2 of 8
	SCALE 1:200		PLAN TITLE Site Detail Plan		DATE OF ISSUE prelim 09.10.17	REV A	

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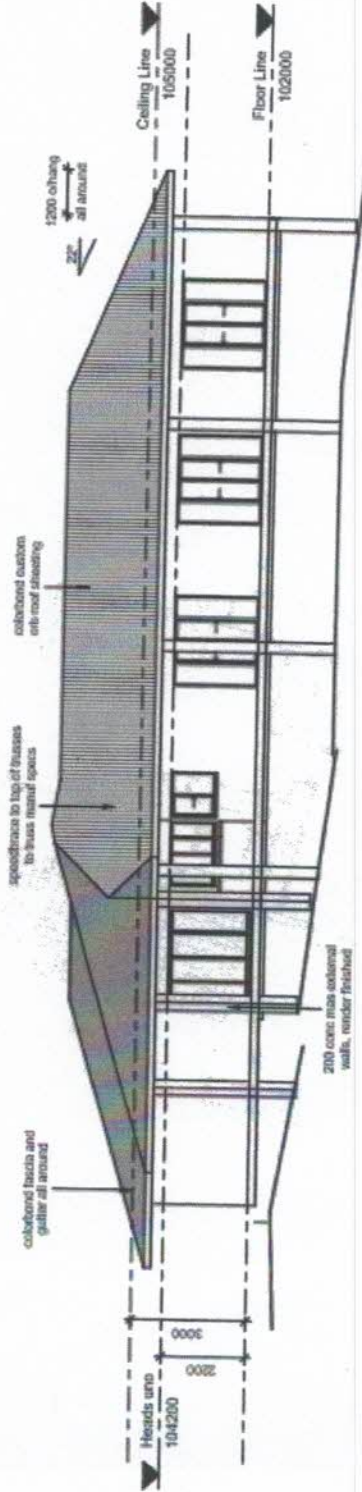


MCUC 2359/2017
9/22 (D#834122)

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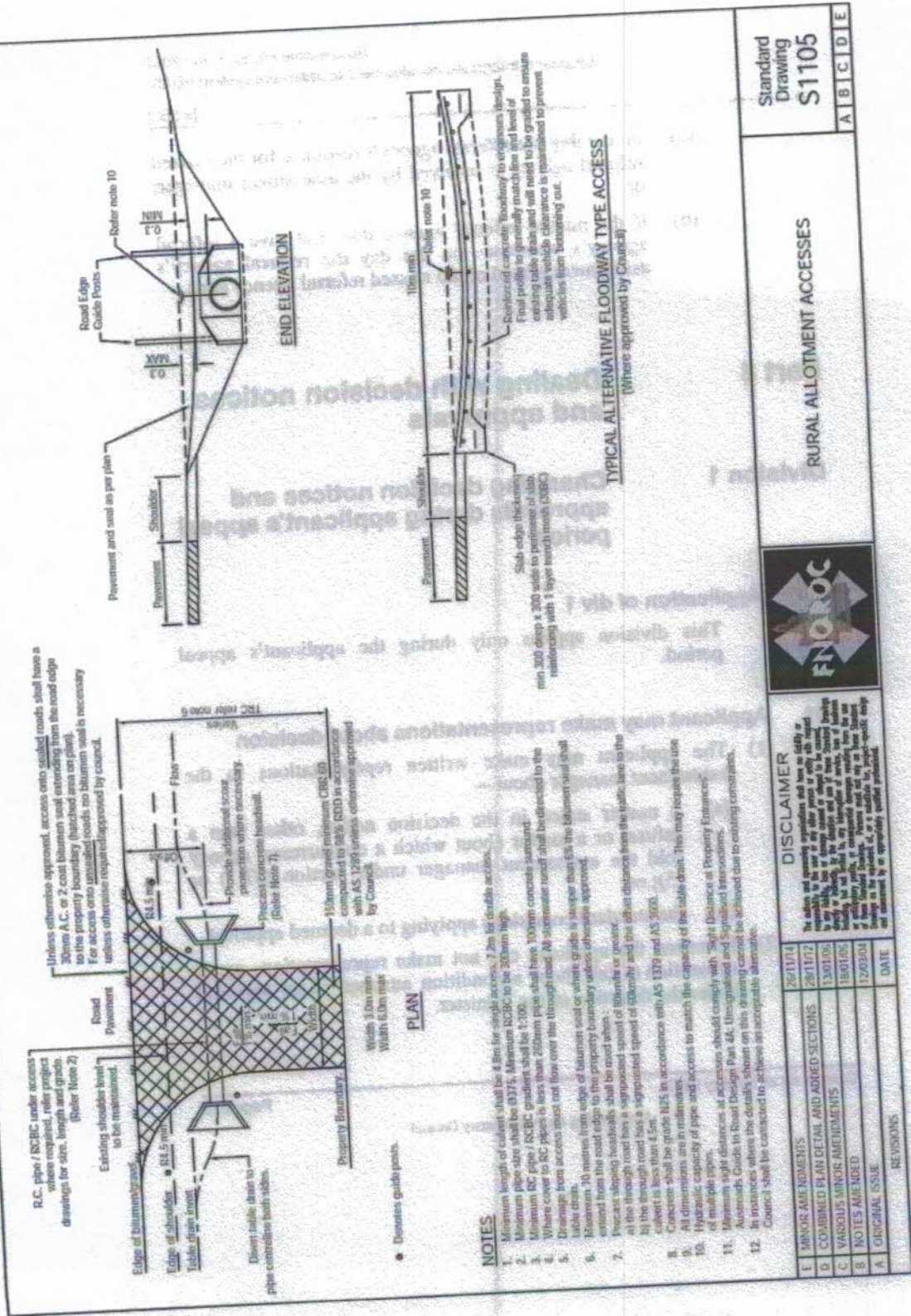
1 South East Elevation
1:100



2 North East Elevation
1:100

GREG SKYRING <i>Design and DRAFTING</i> Pty Ltd 11 Mill Creek, Mosman NSW 1585 Phone: 02 933 4444 Email: greg@gregskyking.com.au		PROJECT Proposed Residence, Ferro Road, L3 SP161461, CRAIGLIE		CLIENT T. McGrath	WIND CLASS C2	PLAN TITLE Elevations - Sheet 1	PLAN NUMBER 408-17	SHEET 7 of 8
		SCALES 1:100				DATE OF ISSUE 09.10.17	DATE 09/10	A

Schedule 3 FNQROC Development Manual Drawing S1105 Rural Allotment Access



Schedule 4 – Applicant's Rights to Make Representations

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

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- (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.

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.

- (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

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- (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal period starts again the day after the applicant receives the negotiated decision notice.

Division 2 **Changing approvals—request for change after applicant's appeal period ends**

Subdivision 1 **Preliminary**

367 What is a *permissible change* for a development approval

- (1) A *permissible change*, for a development approval, is a change to the approval that would not, because of the change—
 - (a) result in a substantially different development; or
 - (b) if the application for the approval were remade including the change—
 - (i) require referral to additional concurrence agencies; or
 - (ii) for an approval for assessable development that previously did not require impact assessment—require impact assessment; or
 - (c) for an approval for assessable development that previously required impact assessment—be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or
 - (d) cause development to which the approval relates to include any prohibited development.
- (2) For deciding whether a change is a permissible change under subsection (1)(b) or (d), the planning instruments or law in force at the time the request for the change was made apply.

- (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

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- (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.

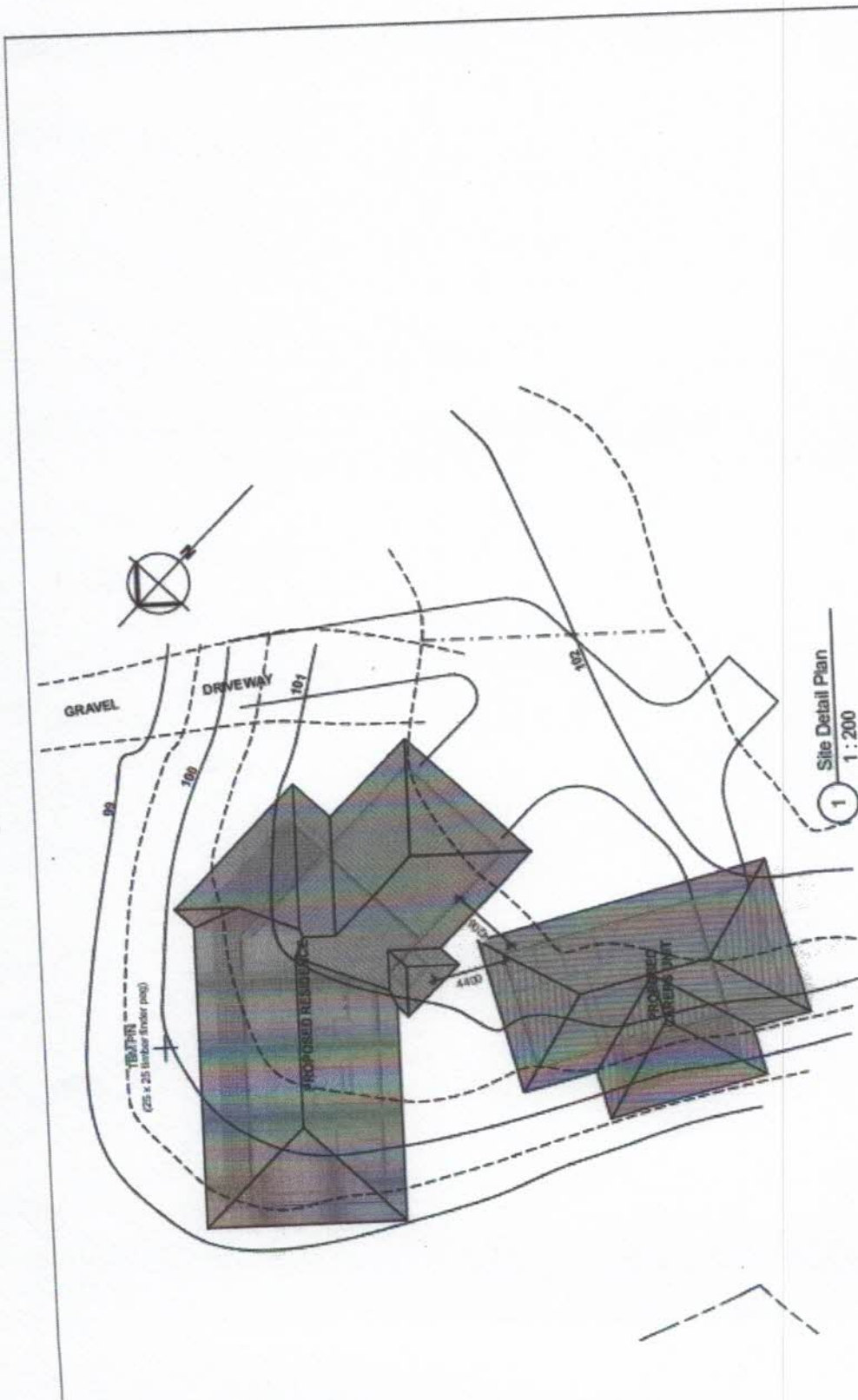
232 Rules of the P&E Court

- (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.

Our ref: PR152305/PC/SD/L81294

Attachment B

Building Design Concept Plans

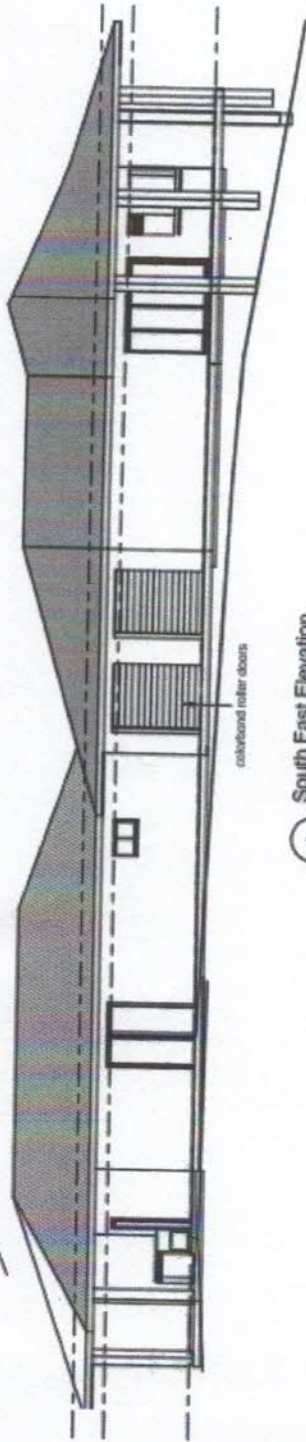


GREG SKYRING <i>Design</i> and DRAFTING Pty Ltd <small>SAC Licence: CDEA Act 1991 - No. 1468371 Phone/Fax: (07) 44552988 Email: greg@gregskyking.com.au</small> 11 Noll Close, Mossman Q. 4873	PROJECT Proposed Residence, Ferrero Road, L3 SP161461, CRAIGLIE		CLIENT T. McGrath	SCALE 1:200	PLAN TITLE Site Detail Plan	GRID CODE C2	PLAN NUMBER 408-17	SHEET 2 of 8
							DATE OF ISSUE prelim 09.10.17	REV A

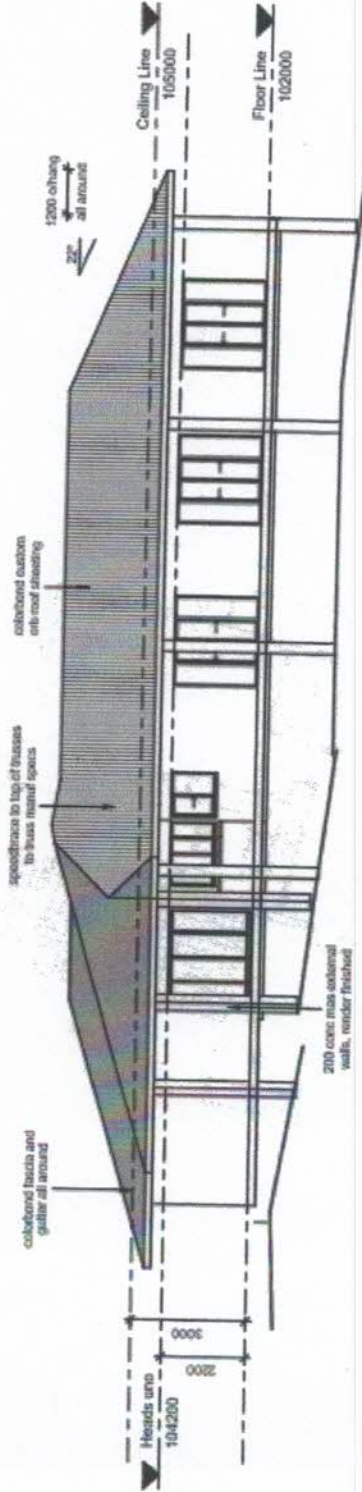


GREG SKYRING <i>Design and Drafting</i> 11 Nott Creek, Modbury Q. 4873 Phone/Fax: 073 4842012 Mobile: 0427 484201 Email: greg@gregskyring.com.au	Proposed Residence, Ferrero Road, L3 SP161461, CRAIGLIE	CLIENT T. McGrath SCALE 1:200	PLAN TITLE Floor and Area Plans - 1 to 200 scale	DRAWN BY 408-17	SHEET 4 of 8
				DATE OF ISSUE prelim 09.10.17	REV A

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1 South East Elevation
1:100



2 North East Elevation
1:100

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