

29 July 2026

Enquiries: Jenny Elphinstone
Our Ref: MCUC 2026_5947/1 (Doc ID 1371207)
Your Ref:

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

Queensland Ambulance Service
C/- Reel Planning - Tim O'Leary
1/9 Camford Street
MILTON QLD 4101

Email: tim@reelplanning.com

Dear Sir

**Development Application for Material Change of Use-Code for
Ambulance Station and Relief Quarters
At 43 Front Street Mossman
On Land Described as Lot 13 on RP706256**

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

Please quote Council's application number: MCUC 2026_5947/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



Neil Beck
Team Leader Planning

cc. State Assessment and Referral Agency (SARA) E: CairnsSARA@dilgp.qld.gov.au
encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Concurrence Agency Response
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: Queensland Ambulance Service
Postal Address: C/- Reel Planning - Tim O'Leary
1/9 Camford Street, MILTON QLD 4101
Email: tim@reelplanning.com

Property Details

Street Address: 43 Front Street Mossman
Real Property Description: Lot 13 on RP706256
Local Government Area: Douglas Shire Council

Details of Proposed Development

A two staged development for a Material Change of Use for Emergency Services (Code) for the existing Mossman Ambulance Station:

- Stage 1: construction of new relief quarters and demolition of the existing relief quarters; and
Stage 2: construction of the new station and demolition of the existing station.

Decision

Date of Decision: 29 July 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.

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

Drawing Or Document	Reference	Date
Locality Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-010, Revision B.	2 December 2025

Drawing Or Document	Reference	Date
Site Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-011, Revision E.	19 November 2025
Site Demolition Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-012, Revision E.	19 November 2025
Accommodation - Ground Floor Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-100, Revision D.	26 November 2025
Station - Ground Floor Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-101, Revision D.	26 November 2025
Accommodation - Subfloor Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-110, Revision B.	2 December 2025
Station - Sub Floor Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-111, Revision B.	2 December 2025
Accommodation - Wall Setout Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-120, Revision B.	2 December 2025
Station - Wall Setout Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-121, Revision B.	2 December 2025
Accommodation - Roof Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-140, Revision B.	2 December 2025
Station - Roof Plan	Guymer Bailey Architects, Project 2860, Drawing AR-MS-141, Revision B.	2 December 2025
Elevations - Accommodation Sheet 1	Guymer Bailey Architects, Project 2860, Drawing AR-MS-200, Revision B.	2 December 2025
Elevations - Accommodation Sheet 2	Guymer Bailey Architects, Project 2860, Drawing AR-MS-200, Revision B.	2 December 2025
Elevations - Station Sheet 1	Guymer Bailey Architects, Project 2860, Drawing AR-MS-210, Revision B.	2 December 2025

Drawing Or Document	Reference	Date
Sections - Accommodation Sheet 1	Guymer Bailey Architects, Project 2860, Drawing AR-MS-300, Revision B.	2 December 2025
Sections - Station Sheet 1	Guymer Bailey Architects, Project 2860, Drawing AR-MS-301, Revision B.	2 December 2025
Civil Services Stormwater Management Plan	Guymer Bailey Architects and ACOR Consultants (QLD) Pty Ltd, Project NA251623, Drawing 4000-C05-0001, Issue A.	8 December 2025
Civil Services Site Grading Plan	Guymer Bailey Architects and ACOR Consultants (QLD) Pty Ltd, Project NA251623, Drawing 4000-C05-0010, Issue A.	8 December 2025

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.

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use of the premises in Stage 2 except otherwise nominated in these conditions of approval.

Vehicle Parking

3. The car parking layout must provide six (6) parking spaces (including one disabled car parking space) and must comply with the Australian Standard: AS2890.1 Parking Facilities.

Parking areas must be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked, and these attributes must be maintained for the life of the development.

Water Supply and Sewerage Works Internal

4. Undertake the following water supply and sewerage works internal to the subject land:
 - a. Utilise the existing sewer connection. If the existing sewer connection is inadequately sized to service the development, it must be upgraded.
 - c. Utilise the existing single water connection. If the existing sewer connection is inadequately sized to service the development, it must be upgraded.

All the above works must be designed and constructed in accordance with the *FNQROC Development Manual*.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Sediment and Erosion Control

5. All sediment and erosion control measures associated with the building work must be carried out in accordance with the Environmental Protection Act 1994, ensuring no release of sediment or other prescribed water contaminants to waters or stormwater systems during construction. The building work must also comply with the FNQROC Development Manual, specifically Clauses CP1.06, CP1.13 and D5.1.

Sediment and control measures must be provided for each development stage.

Lawful Point of Discharge

6. All external stormwater from the land must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.

Concentration of Stormwater

7. Stormwater discharge must have a no worsening effect or ponding nuisances on downstream or upstream properties.

If a disparity exists between pre and post alteration flows, measures are to be implemented in order to have a no worsening effect.

Damage to Council Infrastructure

8. In the event that any part of Council's existing sewer, water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it replaced at no cost to Council, prior to the commencement of use.

Bin Enclosure

9. The bin enclosure must be fully roofed and constructed with imperviously sealed flooring to prevent stormwater infiltration.

Landscaping

10. The site must be landscaped generally in accordance with Draft Concept Landscape Plan.

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

All landscaping works must be completed prior to the Commencement of Use. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Lighting

11. A statement by a suitably qualified person must be provided prior to the commencement of use testifying all outdoor lighting is compliant with the Australian Standard AS 4282.

Vehicle wash bay

12. The vehicle wash bay must be roofed and bunded and wastewater must be discharged through a 550 litre triple interceptor to sewer or as agreed to by the Chief Executive Officer.

Generator

13. Noise from generators, air-conditioning units, service equipment or other mechanical equipment, must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the *Environmental Protection Act 1994*.

Fuel Storage

14. All fuels must be stored in an undercover and secure location at all times.

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.

Infrastructure Charges

3. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.

Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

Note the proposed development is considered to give rise to a credit for infrastructure charges which will remain with the land. The extent of the ongoing credit is nominated on the Infrastructure Charges Notice.

4. 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*.

Concurrence Agency Response

Concurrence Agency	Concurrence Reference	Agency Date	Doc ID
State Assessment Referral Agency (SARA)	2606-53233 SRA	28 July 2026	1382123

Note – Concurrence Agency Response is attached. This Concurrence Agency Response maybe amended by agreement with the respective agency.

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*.

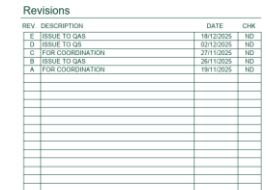
Rights to make Representations & Rights of Appeal

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.

[illegible]

- **Check all dimensions and site conditions prior to commencement of any work and the procurement of any services, materials, fittings, fabrication or equipment. All dimensions in mm unless noted otherwise.**
- **Do not scale drawings – refer to figured drawings only. Any discrepancies shall immediately be referred to the Architect for clarification.**
- **The copyright of this drawing remains the property of Architect and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form without agreement from relevant parties.**
- **Drawings shall not be used for construction purposes until issued for construction.**



Client Quarantaine Services Department of Health	Architect GBA Brisbane Studio 19 Terrace Street, Toowong, P.O. 3870 9700
Structural Engineers OPTIMUM STRUCTURES Level 2, 37 Main Street, Spring Hill QLD 4000 P.O. 3832 1347	M/E/P Engineers ACOR Consultants (Qld) Pty Ltd Level 7, Cordelia Street, South Brisbane, QLD 4101 P.O. 3844 5900
Civil Engineers ACOR Consultants (Qld) Pty Ltd Level 7, Cordelia Street, South Brisbane, QLD 4101 P.O. 3844 5900	Certifier Building Certifiers Australia PO Box 106, Spring Hill QLD 4004 P.O. 3839 0772
Geotechnical Soil Surveys Engineering Pty Limited	Surveyors Vision Surveys



MOSSMAN

SITE PLAN

NOT FOR CONSTRUCTION

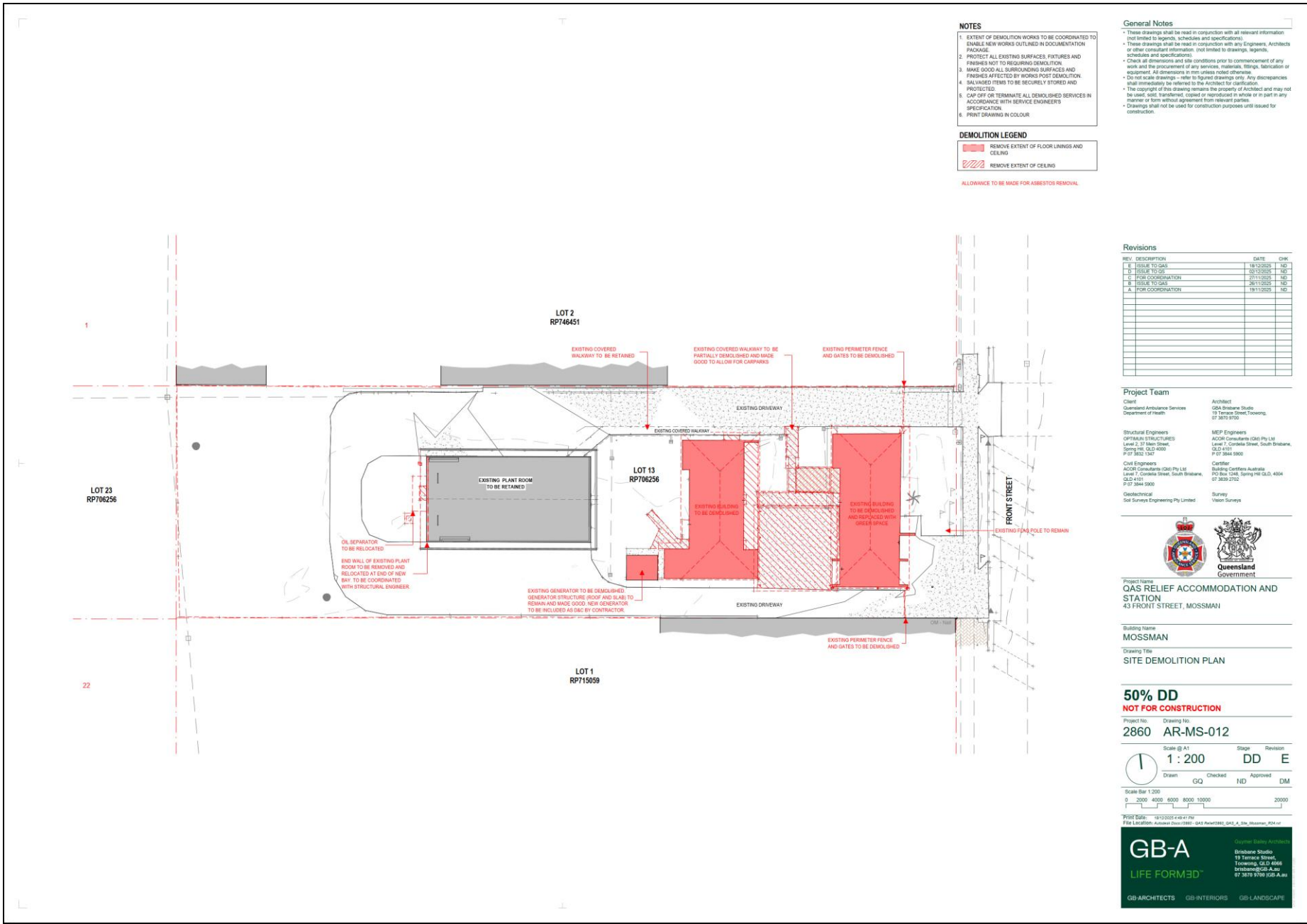
GB-A
LIFE FORMED™

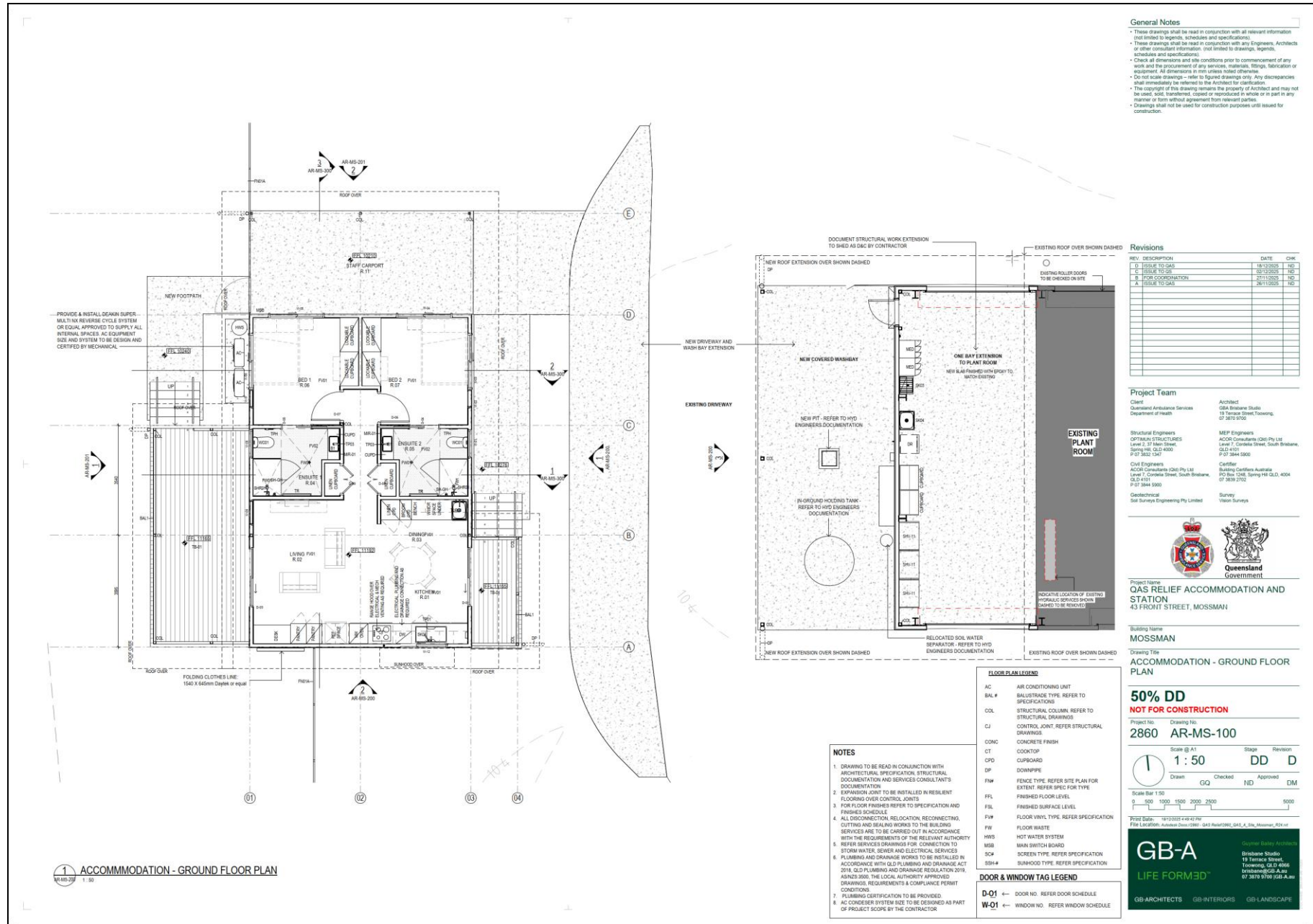
Guymer Bailey Architects
Brisbane Studio
18 Terrace Street,
Toowong, QLD 4066
brisbane@GB-A.au
07 3870 9700 |GB-A.au

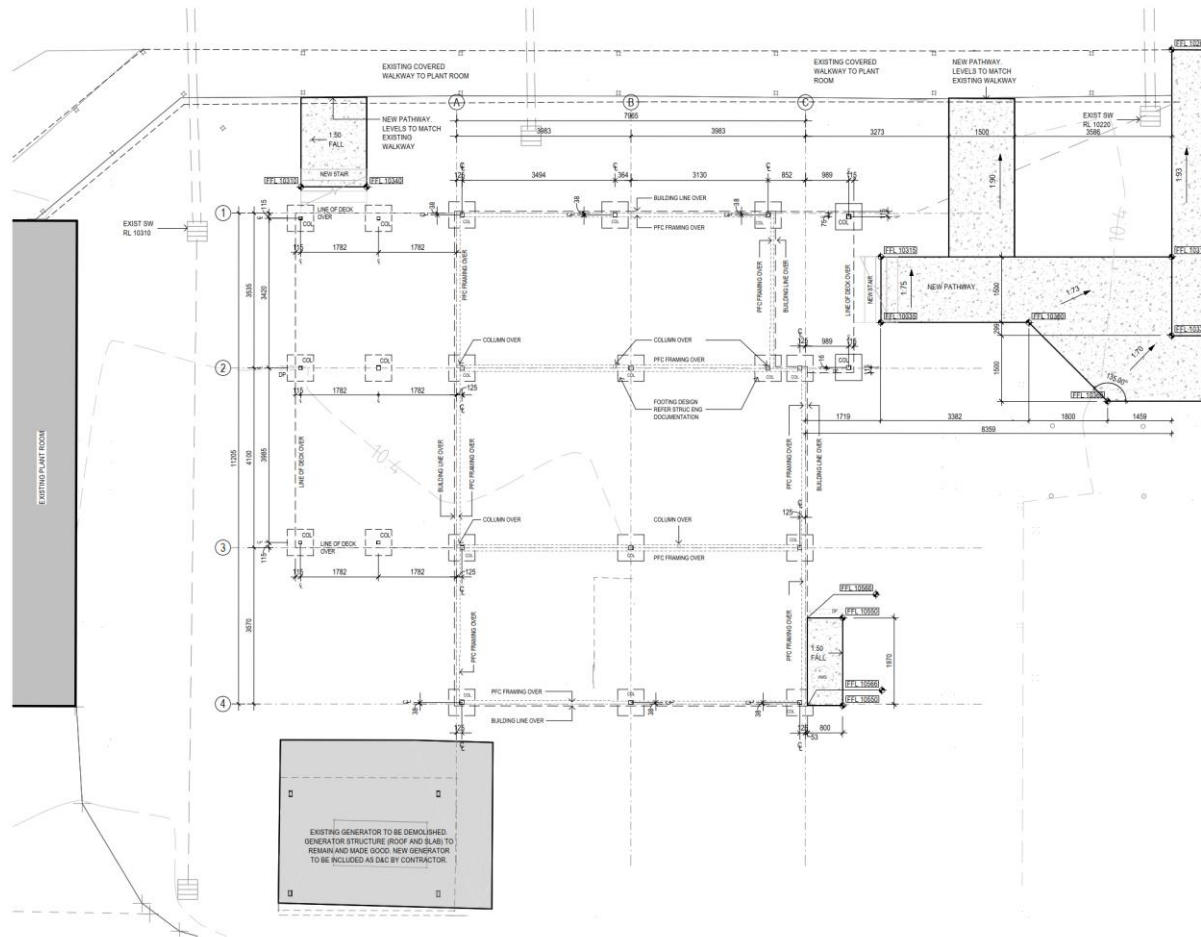
GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE

NOTES:

1. DRAWING TO BE READ IN CONJUNCTION WITH SERVICES DRAWINGS FROM CONSTRUCTION TO POWER, SEWER, POTABLE WATER AND STORMWATER
2. DRAWING TO BE READ IN CONJUNCTION WITH CIVIL DRAWINGS
3. REFER SERVICES CONSULTANTS DRAWINGS FOR SITE WORKS TO EXISTING SERVICES
4. CONTRACTOR TO CONDUCT A SITE INSPECTION DURING TENDER TO ASSESS EXISTING SITE CONDITIONS
5. REFER SURVEY FOR LOCATION OF EXISTING SERVICES
6. EXISTING SERVICES: BEFORE COMMENCING EARTHWORKS, LOCATE AND MARK EXISTING UNDERGROUND SERVICES IN THE AREAS WHICH WILL BE AFFECTED BY THE EARTHWORK OPERATIONS INCLUDING CLEARING, EXCAVATING, AND TRENCHING







General Notes

- These drawings shall be read in conjunction with all relevant information (not limited to legends, schedules and specifications).
- These drawings shall be read in conjunction with any Engineers, Architects or other consultant information, (not limited to drawings, legends, schedules and specifications).
- Check all dimensions and site conditions prior to commencement of any work and the procurement of any services, materials, fittings, fabrication or equipment. All dimensions to run unless noted otherwise.
- Do not scale drawings - refer to figure drawings only. Any discrepancies shall immediately be referred to the Architect for clarification.
- The copyright of this drawing remains the property of Architect and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form without agreement from relevant parties.
- Drawings shall not be used for construction purposes until issued for construction.

Revisions

REV	DESCRIPTION	DATE	CHK
1	ISSUE TO C&A	18/12/2023	1 587
2	ISSUE TO C&A	20/12/2023	180

Project Team

Client Queensland Ambulance Services Department of Health	Architect GBA Brisbane Studio 13 Terrace Street, Toowoomba, QLD 4350 P 07 3870 9700
Structural Engineers OPTIMUM STRUCTURES Level 2, 27 Main Street, Spring Hill, QLD 4000 P 07 3862 1247	MEP Engineers ACOR Consultants (Q&A) Pty Ltd Level 1, 27 Main Street, Spring Hill, QLD 4000 P 07 3864 5900
Civil Engineers ACOR Consultants (Q&A) Pty Ltd Level 1, 27 Main Street, Spring Hill, QLD 4000 P 07 3864 5900	Certifier Building Certifiers Australia PO Box 1240, Spring Hill QLD 4004 P 07 3869 2702
Geotechnical Soil Surveys Engineering Pty Limited	Survey Vision Surveys



Project Name
QAS RELIEF ACCOMMODATION AND STATION
43 FRONT STREET, MOSSMAN

Building Name
MOSSMAN

Drawing Title
STATION - SUB FLOOR PLAN

50% DD
NOT FOR CONSTRUCTION

Project No. Drawing No.
2860 AR-MS-111

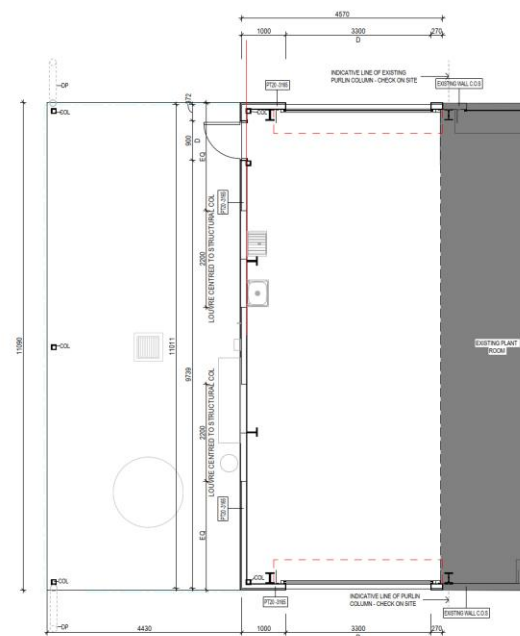
Scale @ A1	Stage	Revision
1 : 50	DD	B
Drawn	DR	Checked
		ND
		Approved
		DM

Scale Bar 1:50
0 500 1000 1500 2000 2500 5000

Printed Scale: 18/12/2023 10:40 AM
File Location: Architect Draw 2860 - 041 Rev 0000, GBA_A_Site, Mossman_R04.rvt

GB-A
LIFE FORMED™
GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE

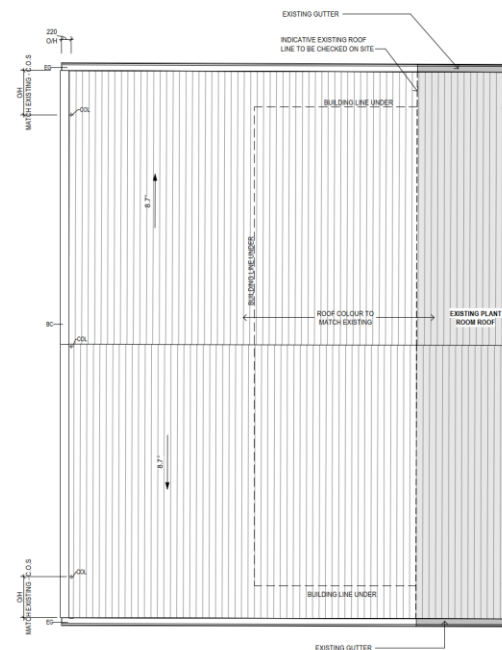
Queensland Ambulance Services
Brisbane Studio
13 Terrace Street,
Toowoomba, QLD 4350
brisbane@gb-a.com.au
07 3870 9700 (GB-A)

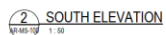


GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE



GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE

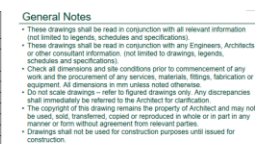




GB-A
LIFE FORMED™

Guymer Bailey Architects
Brisbane Studio
19 Terrace Street,
Toowong, QLD 4066
brisbane@GB-A.au
07 3870 9700 | GB-A.au

GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE

[illegible]

Scale @ A1
1 : 50
Stage DD
Revision B

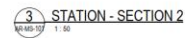
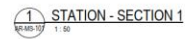
Drawn GO
Checked ND
Approved DM

[illegible]

GB-A
LIFE FORMED™

Guymer Bailey Architects
Brisbane Studio
19 Terrace Street,
Toowong, QLD 4066
brisbane@gb-a.au | 07 3870 9700 | GB-A.au

GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE



General Notes

- These drawings shall be read in conjunction with all relevant information (not limited to legends, schedules and specifications).
- These drawings shall be read in conjunction with any Engineers, Architects or other relevant information (not limited to drawings, legends, schedules and specifications).
- Check all dimensions and site conditions prior to commencement of any work. Inform the Engineer of any discrepancies, materials, fittings, fabrication or equipment. All dimensions in mm unless noted otherwise.
- Do not scale drawings - refer to signed drawings only. Any discrepancies shall immediately be referred to the Architect for clarification.
- The copyright of this drawing remains the property of Architect and may in any manner be copied, reproduced or otherwise used in whole or in part without agreement with the Architect.
- Drawings shall not be used for construction purposes unless issued for construction.

Project Team	
Client	Architect
Guernsey Ambulance Services Department of Health	GBA Brisbane Studio 19 Terrace Street, Toowoomba P 07 3870 9700
Structural Engineers	MEP Engineers
OPTIMUM STRUCTURES Level 1, 501 St. Lawrence Spring Hill QLD 4000 P 07 3632 1347	ACOR Consultants (Qld) Pty Ltd Level 7, Cordella Street, South Brisbane QLD 4101 P 07 3844 9900
Civil Engineers	Certifier
ACOR Consultants (Qld) Pty Ltd Level 7, Cordella Street, South Brisbane QLD 4101 P 07 3844 9900	Buckley-Centers Australia PO Box 1248, Spring Hill QLD, 4004 P 07 3839 2702
Geotechnical	Survey
Sat Survey Engineering Pty Limited	Vicon Surveys



SECTIONS - STATION SHEET 1

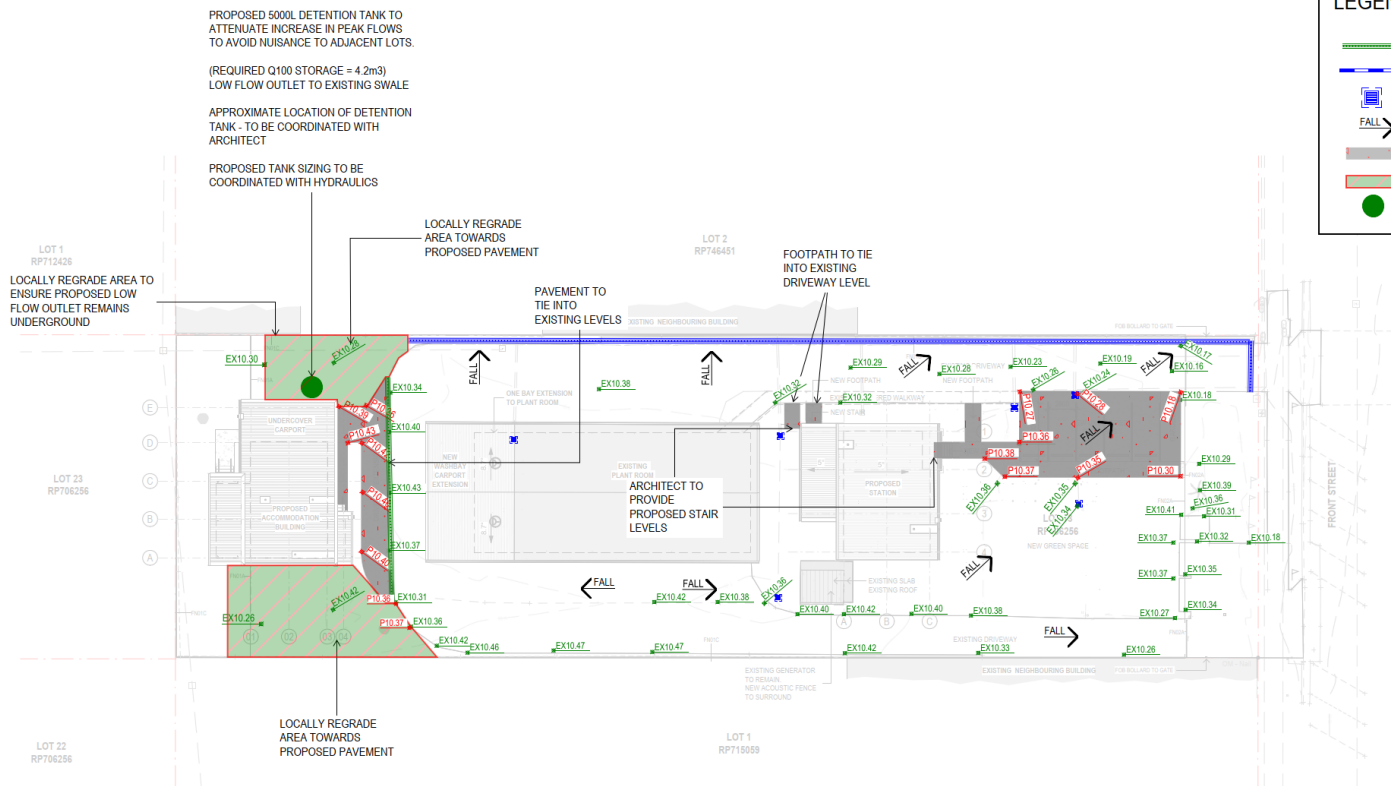
GB-A
LIFE FORMED™

Quynh Bailey Architects
Brisbane Studio
19 Terrace Street,
Toowong, QLD 4066
brisbane@GB-A.au
07 3870 9700 |GB-A.au

GB-ARCHITECTS GB-INTERIORS GB-LANDSCAPE

LEGEND

- PROPOSED 200mm STORMWATER GRATED DRAIN
- EXISTING STORMWATER PIPE
- EXISTING STORMWATER PIPE
- PROPOSED STORMWATER FLOWPATH
- PROPOSED VEHICLE ACCESS DRIVEWAY
- PROPOSED EARTHWORKS REGRADE (MAX 1:3)
- PROPOSED STORMWATER DETENTION TANK



**DRAFT
FOR INFORMATION
ONLY**

© COPYRIGHT of this design and plan is the property of ACOR Consultants (QLD) Pty Ltd. ACN 126 011 067 ABN 18 126 011 067. All rights reserved. It must not be used, modified, reproduced or
disseminated without written permission from ACOR Consultants (QLD) Pty Ltd. ACOR Consultants is a trademark licensed to ACOR Consultants (QLD) Pty Ltd by ACOR Consultants Pty Ltd.

This drawing has been assigned an electronic code that signifies the drawing has been checked and approved by:

Rev	Description	Date	Drawn	Checked	Approved
A	CONCEPT DESIGN	08.12.25	KR	PK	



Client
**Queensland
Ambulance Service**
LEVEL 2, BLOCK A, 125 KEDRON PARK ROAD
KEDRON QLD 4031
MOSSMAN

Architect
GB-A
GB ARCHITECTS
GB INTERIORS
GB LANDSCAPE
19 TERRACE STREET
TOOWONG, QLD 4066
MOSSMAN

**Ac
or
CONSULTANTS**

ACOR Consultants (QLD) Pty Ltd
Level 7, 104 Melbourne Street
South Brisbane QLD 4101
T +61 7 3844 5900
MOSSMAN

Project
**GAS STATION & RELIEF ACCOMMODATION
MOSSMAN**
43 FRONT STREET
MOSSMAN, QLD 4873

Drawing Title					
CIVIL SERVICES SITE GRADING PLAN					
Drawn	Scale	Scale	Alt	Check	Date
KR	1:100	1:100	PK	PK	08.12.25
Checked	Project No.	Draw No.	Draw No.	Draw No.	Draw No.
KR	HA251623	4000-C09-0010	4000-C09-0010	4000-C09-0010	4000-C09-0010

Concurrence Agency Conditions

RA6-N



Department of
State Development,
Infrastructure and Planning

SARA reference: 2606-53233 SRA
Council reference: MCUC 2026_5947/1

28 July 2026

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

SARA referral agency response— Redevelopment of Mossman Ambulance Station and Relief Quarters, 43 Front Street, Mossman

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 30 June 2026.

Response

Outcome:	Referral agency response – with conditions
Date of response:	28 July 2026
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use for Emergency Services for the existing Mossman Ambulance Station
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1- Material change of use near a state-controlled road (10.9.4.2.4.1) (Planning Regulation 2017)	

SARA reference: 2606-53233 SRA

Assessment manager: Douglas Shire Council

Street address: 43 Front Street, Mossman

Real property description: Lot 13 on RP706256

Applicant name: Queensland Ambulance Service

Applicant contact details: C/- Reel Planning
1/9 Camford Street
Milton QLD 4064
tim@reelplanning.com

Human Rights Act 2019 considerations: The decision has been assessed for compatibility with human rights under the *Human Rights Act 2019*. The decision was found not to limit human rights under the *Human Rights Act 2019* therefore, it is reasonable to conclude the decision is compatible with human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Anthomy Westbury, Senior Planning Officer, on (07) 4037 3215 or via email CairnsSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

cc Queensland Ambulance Service, tim@reelplanning.com

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
10.9.4.2.4.1 – Material change of use near a state-controlled road—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not: (i) create any new discharge points for stormwater runoff onto the state-controlled road; (ii) concentrate or increase the velocity of flows to the state-controlled road; (iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; (iv) surcharge any existing culvert or drain on the state-controlled road; (v) reduce the quality of stormwater discharge onto the state-controlled road.	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.6). If a word remains undefined it has its ordinary meaning.
2.	To clearly delineate the entry only (southern access) and exit only (northern access) road access location between Lot 13 on RP706256 and Front Street (Front Street), it is recommended that appropriate regulatory signage be installed, including directional line markings at the driveways. Signage and line markings must be located wholly within Lot 13 on RP706256 at the property boundary.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

- The proposed development complies with the assessment benchmarks of State code 1: Development in a state-controlled road environment, in that the development:
 - o does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of Front Street, the state-controlled road
 - o has existing vehicular access crossovers to Front Street, which comply with the current DTMR access standards, subsequently no additional access work is required
 - o has been conditioned to ensure stormwater and drainage flow does not adversely impact the state-controlled road corridor
 - o There is no increase in traffic generation or changing of vehicular types currently utilising the existing accesses.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.6), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank)

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 29 May 2026 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 Centre 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.

Non-Compliance with Assessment Benchmarks

Benchmark Reference	Alternative Measure/Comment
7.2.3.4.a—Mossman local plan Additional requirements for Precinct 5 – Town Centre precinct PO11 <i>Buildings in the precinct are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including:</i> (a) <i>buildings built to the frontage to reinforce the existing built-form character;</i> (b) <i>buildings that address the street;</i> (c) <i>development that incorporates awnings and verandahs providing weather protection for pedestrians.</i>	The Development meets the purpose of the Code, (b) <i>The key built form and main street character of the town centre is to be retained and reinforced.</i> Precinct 5 - Town Centre precinct: (a) <i>key elements which contribute to the character and integrity of the town centre are retained;</i>

Otherwise, the development complies with the planning scheme and no concerns are raised.

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 106ZL.

- (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.

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

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

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

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

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

Note—

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

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

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

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

Note—

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

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

230 Notice of appeal

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

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

231 Non-appealable decisions and matters

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

- (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—

29 July 2026

Enquiries: Jenny Elphinstone
Our Ref: MCUC 2026_5947/1 (Doc ID 1371207)
Your Ref:

Queensland Ambulance Service
C/- Reel Planning - Tim O'Leary
1/9 Camford Street
MILTON QLD 4101

Email: tim@reelplanning.com

Dear Sir

**Adopted Infrastructure Charge Notice - Credit
For Development Application Material Change of Use for Emergency Services (Ambulance
Station & Relief Quarters) at 43 Front Street Mossman
On Land Described as Lot 13 on RP706256**

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: MCUC 2026_5947/1 in all subsequent correspondence relating to this matter.

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

Yours faithfully



For
Leonard Vogel
Manager Environment & Planning

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

Adopted Infrastructure Charges Notice



2018 Douglas Shire Planning Scheme version 1.0 Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Queensland Ambulance Service DEVELOPERS NAME		0 ESTATE NAME	0 STAGE
43 Front Street STREET No. & NAME	Mossman SUBURB	Lot 13 on RP706256 LOT & RP No.s	3194 PARCEL No.
MCU Emergency Services and support accommodation DEVELOPMENT TYPE		MCUC 2026_5947/1 COUNCIL FILE NO.	6 VALIDITY PERIOD (year)
1379386 DSC Reference Doc. No.	1 VERSION No.	Payment before commencement of use for MCU; and Prior to signing and sealing of survey form for ROL	

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

	Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand						
Residential Dwelling_unit	\$_per_2_bedroom_dwelling	24,080.39	1	\$24,080.39		
Essential_services Emergency Services	\$_per_m²_GFA	156.33	451.19	\$70,534.53		
	Total Demand			\$94,614.92		
Credit						
<u>Existing land use</u>						
Residential Dwelling_unit	\$_per_2_bedroom_dwelling	24080.39	1	\$24,080.39		
Essential_services Emergency Services	\$_per_m²_GFA	156.33	608.46	\$95,120.55		
	Total Credit			\$119,200.94		
						Prior arrangement for online payment via invoicing - see below.
						Code 895 GL GL7500.135.825

Required Payment or Credit **TOTAL** \$ **(24,586.02) CREDIT**

Prepared by	J Elphinstone	14-Jul-26	Amount Paid	
Checked by	R Taranto	15-Jul-26	Date Paid	
Date Payable	MCU - prior to the commencement of use			
Amendments		Date	Receipt No.	
			Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.
Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

If you seek to pay online, please request an invoice to be issued via enquiries@douglas.qld.gov.au

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

- (2) This section is subject to section 123.

123 Agreements about payment or provision instead of payment

- (1) The recipient of an infrastructure charges notice and the local government that gave the notice may agree about either or both of the following—
- (a) whether the levied charge under the notice may be paid other than as required under section 122 including whether the charge may be paid by instalments;
 - (b) whether infrastructure may be provided instead of paying all or part of the levied charge.
- (2) If the levied charge is subject to an automatic increase provision, the agreement must state how increases in the charge are payable under the agreement.

Subdivision 5 Changing charges during appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider any representations made by the recipient.
- (3) If the local government—
- (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice;

the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.

- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.
- (8) However, if the recipient gives the local government a notice withdrawing the representations before the local government has given a negotiated notice or decision notice—
 - (a) the appeal period is taken to have been suspended from the day the representations were made; and
 - (b) the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 126 in relation to suspending the appeal period by notice.

126 Suspending appeal period by notice

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the appeal period to the local government.
- (2) The recipient may give only 1 notice.

- (3) If the representations are not made within 20 business days after the notice is given, the balance of the appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 125(7) and (8) in relation to other circumstances affecting the appeal period.

Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

- (1) This subdivision applies if—
 - (a) trunk infrastructure—
 - (i) has not been provided; or
 - (ii) has been provided but is not adequate; and
 - (b) the trunk infrastructure is or will be located on—
 - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
 - (ii) other premises, but is necessary to service the subject premises.

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

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

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

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

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

Note—

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

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

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

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

Note—

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

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

230 Notice of appeal

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

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

231 Non-appealable decisions and matters

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

- (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—