

Our Ref: LM: lmc:DA/4695 AD2024/0001510
Your Ref: F23/30

16 April 2024

Melissa J Davey, Malcolm J McCollum and Lynette G McCollum
c/- Freshwater Planning
17 Barron View Drive
FRESHWATER QLD 4870
E-mail: FreshwaterPlanning@outlook.com

Attention: Matthew Andrejic

Dear Mr Andrejic

Decision Notice - Approval

Given under section 63 of the *Planning Act 2016*

With reference to the above-mentioned Development Application (DA/4695), please find attached the relevant Decision Notice, which was approved by Cook Shire Council in full subject to conditions.

Details of the decision are as follows:

Decision Details

Date of Decision: Council approved the Development Application by delegation on **12 April 2024**.

Approval Details: **Approved in full** with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Application Details

Application Number: DA/4695

Approval Sought: Development Permit for Reconfiguration of a Lot

Description of the Development: Boundary Realignment (3 lots into 3 lots) and Access Easement

Category of Development: Assessable Development

Category of Assessment: Code Assessment

Planning Scheme: Cook Shire Council Planning Scheme 2017 v2.0

Location Details

Street Address: 8 Banks Street, Cooktown QLD 4895
78 Helen Street, Cooktown QLD 4895
133 Hope Street, Cooktown QLD 4895

Real Property Description: Lot 801 on C1791
Lot 802 on C1791
Lot 811 on C1791

Local Government Area: Cook Shire

Assessment Manager Conditions

This approval is subject to the conditions in **Attachment 1**.

Further Development Permits

Not Applicable.

Properly Made Submissions

Not applicable - no part of the application required public notification.

Referral Agencies

Not applicable - no part of the application required referral.

Variation approval details

Not Applicable

Other requirements under section 43 of the *Planning Regulation 2017*

Not Applicable.

Approved Plans and Specifications

Copies of the approved plans, specifications and/or drawings are enclosed in **Attachment 2**.

Currency Period for the Approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

Lapsing of approval if development started but not completed

In accordance with section 88(1) of the *Planning Act 2016*, a development approval, other than a variation approval, for development lapses to the extent the development is not completed within any period or periods required under a development condition.

Rights of Appeal

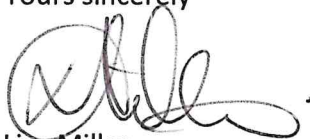
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* are provided in Attachment 4 of this Decision Notice.

Other Details

Council relies on the accuracy of information included in the application documentation when assessing and deciding applications.

If you find an inaccuracy in any of the information provided above, have a query, or need to seek clarification about any of these details, please contact Cook Shire Council's Planning and Environment Department on 07 4082 0500 or E-mail: mail@cook.qld.gov.au.

Yours sincerely



Lisa Miller

Manager Planning and Environment

- enc: **Attachment 1** Conditions Imposed by the Assessment Manager
Attachment 2 Approved Plans (D24/7713)
Attachment 3 Notice of Decision – Statement of Reasons (AD2024/0001511)
Attachment 4 Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

Attachment 1 Conditions Imposed by the Assessment Manager (Cook Shire Council)

A. Assessment Manager (Council) Conditions

No.	Condition	Timing
GENERAL		
1.	COMPLIANCE WITH CONDITIONS The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer.	At all times
2.	WORKS – DEVELOPER’S EXPENSE The cost of all works associated with the development and construction of the development, including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.	At all times
3.	WORKS - DAMAGE TO INFRASTRUCTURE The Developer must repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.	At all times
4.	WORKS – DESIGN & STANDARD Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.	At all times
5.	WORKS – SPECIFICATION & CONSTRUCTION All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).	At all times
6.	COMMENCEMENT OF USE The use must not commence until the conditions of the approval relevant to each stage have been complied with.	At all times
7.	INFRASTRUCTURE CONDITIONS All development conditions contained in this development approval about infrastructure under Chapter 4 of the <i>Planning Act 2016</i> (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.	At all times

APPROVED PLANS & DOCUMENTS												
8.	APPROVED PLANS & DOCUMENTS Undertake the approved development generally in accordance with the approved plans and documents, including any amendments made in red on the approved plan(s) or document(s):			<table border="1"> <thead> <tr> <th>Title</th> <th>Sheet No.</th> <th>Date</th> <th>Prepared By</th> </tr> </thead> <tbody> <tr> <td>Plan of proposed Boundary Reconfiguration Between Lots 801 & 811 & 802 Hope & Banks Street Cooktown</td> <td>F23/30</td> <td>15/10/2023 Submitted to Council</td> <td>Freshwater Planning</td> </tr> </tbody> </table>	Title	Sheet No.	Date	Prepared By	Plan of proposed Boundary Reconfiguration Between Lots 801 & 811 & 802 Hope & Banks Street Cooktown	F23/30	15/10/2023 Submitted to Council	Freshwater Planning
Title	Sheet No.	Date	Prepared By									
Plan of proposed Boundary Reconfiguration Between Lots 801 & 811 & 802 Hope & Banks Street Cooktown	F23/30	15/10/2023 Submitted to Council	Freshwater Planning									
				At all times								
9.	CONDITIONS OF APPROVAL & APPROVED PLANS Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval take precedence.			At all times								

SERVICES		
10.	ELECTRICITY SUPPLY Lot 802 must be connected to the reticulated electricity supply network in accordance with the standards and requirements of the relevant service provider at the time of construction of a dwelling house. All electrical infrastructure serving proposed Lot 802 must be contained entirely within the respective lot. If the development is proposed to be connected to another means of electricity supply, details of this supply must be provided for Council approval at the time of building application.	At the time of construction of a dwelling house
11.	TELECOMMUNICATIONS Telecommunications to Lot 802 must be provided to the premises to the standards and requirements of the relevant service provider at the time of construction of a dwelling house.	At the time of construction of a dwelling house
12.	RETICULATED WATER SUPPLY Proposed Lot 802 must be connected to the reticulated water supply at full cost to the applicant. The developer will be responsible for metering. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement of on-site water storage.	At the time of construction of a dwelling house

13.	RETICULATED SEWERAGE SUPPLY Lot 802 must be connected to the reticulated sewerage network at the full cost to the applicant at the time of construction of a dwelling house. Plans must be submitted as part of a plumbing application for approval by Council's Plumbing Inspector prior to works commencing.	At the time of construction of a dwelling house
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BUILDING SITING		
14.	All buildings or structures associated with proposed Lot 801, Lot 802 and Lot 811 must be entirely located within the boundary of each respective lot as nominated on the approved plans of development.	At all times

ACCESS AND SERVICE EASEMENT		
15.	Access to the proposed development must be provided in accordance with the approved plans of development.	At all times
16.	Access to each proposed lot must be provided as per the following: (i) Access to Lot 801 must be via Banks Street. (ii) Access to Lot 802 must be via Banks Street. Access is not permitted within Helen Street. (iii) Access to Lot 811 must be via Hope Street.	At all times
17.	ACCESS AND SERVICES EASEMENT Prepare for lodgement for registration at the Department of Resources (Titles Registry) the following Access and Services Easements, as identified on the Approved Plan(s), at no cost to Council: (i) A reciprocal Access and Services (type) easement over the driveway in favour of Lot 801, over Lot 802 as shown as on the approval plan(s) of development. A copy of the easement documents must be submitted to Council for endorsement at no cost to Council.	Prior to Council endorsement of the Plan of Survey
18.	Access to proposed Lot 802 must be provided in accordance with the approved plan(s) of development and constructed Prior to the issue of a Development Permit for Operational Work or Building Works	Prior to the issue of a Development Permit for Operational Work or Building Works

19.	<p>Provide engineering plans for a concrete driveway for proposed Lot 802 interfacing from the property boundary at the Banks Street frontage to the building pad.</p> <p>The concrete driveway must be designed generally in accordance with FNQROC Development Manual Standard Drawing S1110 to a residential standard.</p> <p>The concrete driveway must be contained entirely within proposed Lot 802 and not located within the road reserve.</p> <p>The plans must show the location, width, levels, grade, and earthworks of the concrete driveways. Information must include levels and grading within the road reserve to demonstrate a smooth transition between the concrete driveway and the road reserve.</p> <p>Details of the proposed construction methodology must be provided to Council for endorsement.</p>	Prior to the issue of a Development Permit for Operational Work or Building Works
20.	Any ramping of the driveways servicing proposed Lot 801 and Lot 802 must occur within the property. No grade change for vehicular access is permitted to the road reserve within Bank Street.	At all times

GEOTECHNICAL REQUIREMENTS		
21.	Provide a risk assessment of the existing batter and driveway to proposed Lot 802, prepared by an appropriately qualified and experienced Geotechnical Registered Professional Engineer of Queensland (RPEQ), in accordance with the AGS Guidelines 2007.	Prior to Council endorsement of the Plan of Survey
22.	<p>Provide a land specific Geotechnical Assessment of the proposed future driveway and dwelling(s) over Lot 802 prepared by an appropriately qualified and experienced Geotechnical Registered Professional Engineer of Queensland (RPEQ)</p> <p>(i) The report must assess the risk of the land and proposed development in accordance with the AGS Guidelines 2007.</p> <p>(ii) The Report must provide the construction methodology of the proposed future driveway and dwelling(s), demonstrating that the site is suitable for development and achieves a low or very low risk for landslide from hazards internal to the site.</p> <p>Once approved, all work must be carried out in accordance with the approved plan(s).</p>	Prior to the issue of a Development Permit for Operational Work or Building Works

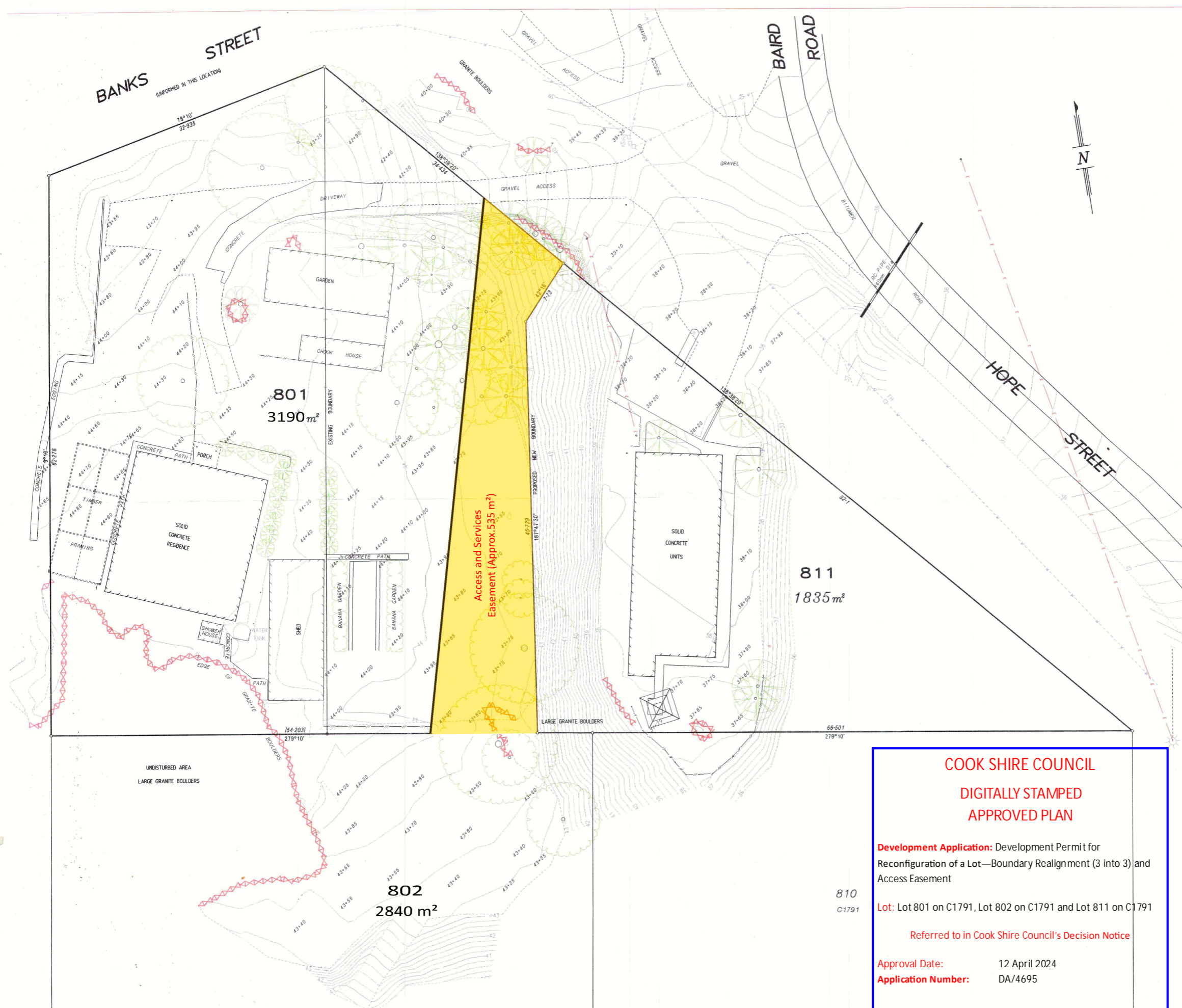
BUSHFIRE MANAGEMENT		
23.	The development must be maintained at all times to a standard so as not to create a fire hazard.	At all times
VEGETATION CLEARING		
24.	Vegetation clearing must be limited to that required for firebreaks, dwelling houses, and associated infrastructure. Any regulated vegetation not required for building works or bushfire management purposes must be retained.	At all times
STORMWATER		
25.	LAWFUL POINT OF DISCHARGE All stormwater from the land must be directed to a lawful point of discharge as per the approved plan(s) such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.	At all times
SEDIMENT CONTROL		
26.	The developer must ensure that effective measures are put in place to ensure construction activity does not cause erosion.	At all times
27.	The developer must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.	At all times
ENVIRONMENTAL		
28.	PEST MANAGEMENT No state declared or environmental pest, plants, and animals are to be introduced onto the property.	At all times
AMENITY		
29.	The development shall have no adverse impact on the amenity of the surrounding area by way of light nuisance, dust or noise.	At all times
COMPLIANCE		
30.	All relevant conditions of this development permit must be complied with prior to Council endorsement of the Plan of Survey.	Prior to Council endorsement of the Plan of Survey

B. Assessment Manager (Council) Advice

1. The reconfiguring a lot approval authorised under this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within **four (4) years** from the commencement of this approval or the approval will lapse.
2. A development permit is required for carrying out Building Works, Operational Works associated with site earthworks. A Plumbing and Drainage Approval/compliance permit is required for Plumbing and Drainage Works prior to construction of any buildings associated with this development.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular 'the duty of care' that it imposes on all landowners.
4. Property Notation for proposed Lot 801, Lot 802 and Lot 811 – All buildings or structures associated with proposed Lot 801, Lot 802 and 811 must be entirely located within the boundary of each respective lot as nominated on the approved plans of development.
5. **Removal of Protected Vegetation**
This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:

- A. *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
- B. *Nature Conservation Act 1999 (Qld)*;
- C. *Vegetation Management Act 1999 (Qld)*.

Attachment 2 Approved Plans (D24/7713)



LAYER/FEATURE LEGEND

Boundaries	
BDY Boundary	---
BFENCE Fence	--- ---
BGATE Gate	--- ---
BSUBJECT Subject Bdy	---
Drainage	
DRLCREEK E. of Creek	--- ---
Relief	
RETOP Toe of Bank	--- ---
RETOP Top of Bank	--- ---
REES Existing Surface (Centred on Decimal)	--- ---
Structures	
STCONC Edge of Concrete	---
Vegetation	
VEB_TRUNK TREE TRUNK	---
VEPALM Palm Tree	---

ADDITIONAL NOTES

- The Property Boundaries shown hereon have been determined by connection to a minimum of survey marks and are shown for plotting purposes only.
- The services shown on this plan have, where possible, been located by field survey. Before commencement of any works on the site, the pertinent authority should be contacted to determine the exact locations and nature of the services and any new works.
- The information shown on this plan remains the intellectual property of SLS Survey & Mapping. These notes are an integral part of this plan. If others use this data they should be advised of its purpose and limitations.

REVISION NOTES

Rev	Description	Approved	Date

SURVEY DATUM
 Contour Interval Major : 1m
 Minor : 0.25m

SCALE 1: 200

MERIDIAN IS169631
DATUM PM 91726
 RL: 36.970 AHD

DRAWN	SURVEYED
APPROVED/CHECKED	
PROJECT No. F23/30	
CLIENT LYNETTE MCCOLLUM	

PLAN OF PROPOSED BOUNDARY RECONFIGURATION BETWEEN LOTS 801 & 811 & 802 HOPE & BANKS STREETS COOKTOWN

SHEET 1 OF 1	PLAN F23/30	CAD FILE DWG00001	REV
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COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Reconfiguration of a Lot—Boundary Realignment (3 into 3) and Access Easement

Lot: Lot 801 on C1791, Lot 802 on C1791 and Lot 811 on C1791

Referred to in Cook Shire Council's Decision Notice

Approval Date: 12 April 2024
Application Number: DA/4695

Attachment 3 **Notice of Decision – Statement of Reasons (AD2024/0001511)**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	DA/4695
Applicant:	MJ Davey, MJ McCollum & LG McCollum C/- Freshwater Planning
Proposal:	Development Permit for a Reconfiguration of a Lot
Description of the Development:	Boundary Realignment (3 into 3) and Access Easement
Street Address:	8 Banks Street, 78 Helen Street and 133 Hope Streets, COOKTOWN QLD 4895
Real Property Description:	Lot 801 on C1791 , Lot 802 on C1791 and Lot 811 on C1791
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Mixed Use
Assessment Type:	Code Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Reconfiguration of a Lot - Boundary Realignment (3 into 3) and Access Easement
Date of Decision:	12 April 2024

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Assessment Benchmarks	Comment
<i>Planning Regulation 2017</i> (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act.
<i>Planning Regulation 2017</i> (Schedule 10)	Not applicable
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy (SPP), Part E	<p>Section 2.1 of the Planning Scheme identifies that the superseded version of the <i>State Planning Policy</i> is integrated in the Planning Scheme.</p> <p>A review of the current version of the SPP (July 2017) and assessment benchmark mapping applicable to Part E has determined that the state interests are reflected in the Planning Scheme and no additional assessment provisions in the current SPP (part E) or updated mapping are applicable requiring further assessment against the SPP.</p> <p>However, amendments to any part of the SPP or supporting mapping may result in a local planning instrument no longer appropriately integrating a particular State interest. In these instances the SPP and/or the supporting mapping apply to the extent of any inconsistency</p>
Temporary State Planning Policy	There are no Temporary State Planning Policies.

Local Categorising Instrument (Cook Shire Council Planning Scheme 2017):

- Mixed Use Zone Code
- Reconfiguring a Lot Code
- Works, Services, and Infrastructure Code
- Bushfire Hazard Overlay Code
- Scenic Amenity Overlay Code
- Landslide Hazard Overlay Code
- Flood and Other Coastal Hazards Overlay Code

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

Not Applicable

REASONS FOR THE DECISION

The application is approved on the following grounds:

- a. An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
- b. The proposed development will have no detrimental impact on the property, surrounding properties, or the environment itself.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not Applicable

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to Council's webpage.

Attachment 4 Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

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 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
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
 - (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
 - (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
 - (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.