



21 November 2018

Senior Planner: Brian Millard  
Direct Phone: 4086 4657  
Our Reference: RAL/18/0025  
Your Reference: ET17-019

Navid Derakhshan  
C/- Elizabeth Taylor - Town Planner  
23 Vallely Street  
Freshwater QLD 4870

Dear Applicant/s

## **Decision Notice**

### ***Planning Act 2016***

I refer to your application and advise that on 21 November 2018, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

#### **APPLICATION DETAILS**

Application No:	RAL/18/0025
Street Address:	2-6 Black Mountain Road, Kuranda
Real Property Description:	Lot 1 on RP743970
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

#### **DECISION DETAILS**

Type of Decision:	Approval
Type of Approval:	Development Permit for Reconfiguration of a Lot - Subdivision (1 into 4 lots)
Date of Decision:	21 November 2018

#### **CURRENCY PERIOD OF APPROVAL**

The currency period for this development approval is four (4) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

**INFRASTRUCTURE**

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

**ASSESSMENT MANAGER CONDITIONS****(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)****(a) Development assessable against the Planning Scheme**

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
  - found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
  - to ensure compliance with the following conditions of approval.
2. Timing of Effect
  - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
  - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval.
  - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
  - 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior the endorsement of the plan of survey and at the rate applicable at the time of payment.
  - 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council’s delegated officer.

- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.
- 3.7 All development works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
- 3.8 Charges
- All outstanding rates, charges and expenses pertaining to the land are to be paid in full prior to the endorsement of a plan of survey.
- 3.9 Building Envelopes
- (a) The approved building envelopes for proposed Lots 1, 2, 3 and 4 are the building envelopes as defined on the Proposal Plan of Reconfiguration July 2018.
  - (b) Prior to endorsement of the survey plan the approved building envelope areas must be defined by survey markers set at each corner, to the satisfaction of Council's delegated officer.
  - (c) All future buildings must be located within the approved building envelopes.

#### 4. Infrastructure Services and Standards

##### 4.1 Access

- (a) Access must be provided/constructed to each allotment in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
- (b) A bitumen, asphalt or concrete driveway shall be provided within the access easements to the satisfaction of Council's delegated officer. The driveway will:
  - have a minimum formation width of 3 metres;
  - be constructed for the full length of the access handle;

- be formed with one-way crossfall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle;
- service and utility conduits are to be provided for the full length of the concrete or sealed driveway constructed within the access handle.

#### 4.2 Roadworks – External Construction - Black Mountain Road for full frontage of Lot 1 on RP743970

The development side of Black Mountain Road must be widened from the existing centreline to an overall sealed width of 4.5 metres, with barrier kerb constructed on the development side. This widening must be blended into the existing seal to avoid sharp transitions in the sealed pavement.

The widening works must be bitumen or asphalt standard, and must include sufficient overlapping of the existing bitumen seal to ensure an appropriate bond of surfaces is achieved, to the satisfaction of Council's delegated officer.

The new section of barrier kerb must connect to the existing kerb at the intersection of the Kennedy Highway and Black Mountain Road.

Prior to works commencing, plans for the works described above must be approved as part of an Operational Works application.

#### 4.3 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- (c) Prior to works commencing the applicant must submit a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.

- (d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.

#### 4.4 Water Supply

- (a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

#### 4.5 On-Site Wastewater Management

Any future on-site effluent disposal system on each lot must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

#### 4.6 Electricity Provision/Supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended), to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation to each lot.

#### 4.7 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

### 5. Additional Payment Condition/s (section 130 of the Planning Act 2016)

- 5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.
- 5.2 The developer must pay \$10,155.00 (per additional lot) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.
- 5.3 The trunk infrastructure for which the payment is required is:
  - The trunk water supply infrastructure servicing the land (\$5,570.00 per additional lot)
  - The trunk open space infrastructure servicing the land (\$4,585.00 per additional lot)
- 5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

#### REFERRAL AGENCIES

The referral agencies applicable to this application are:

State transport corridors and future State transport corridors		
Development application for reconfiguring a lot that is assessable development under section 21, if-	Schedule 10, Part 9, Division 4, Table 1	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870 <a href="mailto:CairnsSARA@dilgp.qld.gov.au">CairnsSARA@dilgp.qld.gov.au</a>
(a) all or part of the premises are within 25m of a State transport corridor;		
And		
(b) 1 or more of the following apply-		
(i) the total number of lots is increased;		
(ii) the total number of lots adjacent to the State transport corridor is increased;		
(iii) there is a new or changed access between the premises and the State transport corridor;		
(iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and		
(c) the reconfiguration does not relate to government supported transport infrastructure.		

Reconfiguring a lot near a State-controlled road intersection		
Development application for reconfiguring a lot that is assessable development under section 21, if-	Schedule 10, Part 9, Division 4, Table 3	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870  <a href="mailto:CairnsSARA@dilgp.qld.gov.au">CairnsSARA@dilgp.qld.gov.au</a>
<p>(a) all or part of the premises are-</p> <p>(i) adjacent to a road (the <b>relevant road</b>) that intersects with a State-controlled road; and</p> <p>(ii) within 100m of the intersection; and</p> <p>(b) 1 or more of the following apply-</p> <p>(i) the total number of lots is increased;</p> <p>(ii) the total number of lots adjacent to the relevant road is increased;</p> <p>(iii) there is a new or changed access between the premises and the relevant road; and</p> <p>(c) the reconfiguration does not relate to government supported transport infrastructure.</p>		

A copy of any referral agency conditions are attached.

#### APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Proposal Plan of Reconfiguration	-	July 2018

#### ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.



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(b) Water Meters/Water Service Connection

Prior to the water service connection works commencing, a Water Quotation, Connection, Disconnection Request must be lodged with Council. The cost of the required water connection will be determined based upon the assessment of the Water Quotation Request. The Water Quotation Request must be lodged and the required connection fee paid prior to the signing of the survey plan.

(c) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(e) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(f) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- an approved building envelope plan
- a registered easement over the subject site

(g) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.environment.gov.au](http://www.environment.gov.au).

(h) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the

“cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

#### (B) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning Referral Agency Response dated 28 August 2018.

#### FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work

#### SUBMISSIONS

There were three (3) properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided below;

Name of principal submitter	Address
1. John & Michele Paterson (support)	57 Butler Drive, Kuranda QLD 4881
2. Jenny Jensen	61 Butler Drive, Kuranda QLD 4881
3. Steven Nowakowski	PO Box 4761, Cairns QLD 4870
<b>Not properly made submission</b>	
4. Jo Martin, for Kuranda Region Planning Group	Recreation Centre, Kuranda QLD 4881

#### RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

**OTHER DETAILS**

If you wish to obtain more information about Council's decision, electronic copies are available on line at [www.msc.qld.gov.au](http://www.msc.qld.gov.au), or at Council Offices.

Yours faithfully

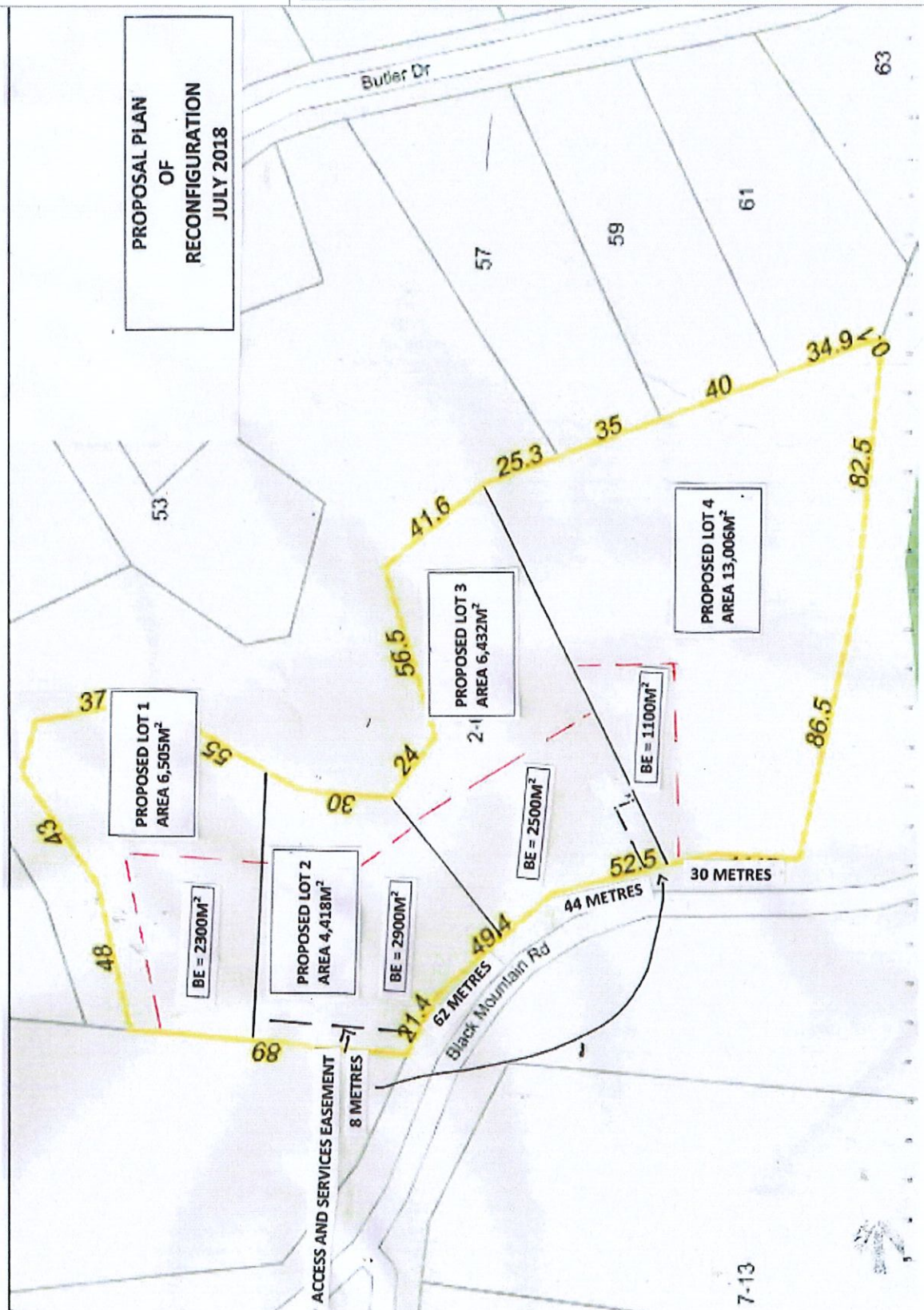


**BRIAN MILLARD**  
**SENIOR PLANNER**

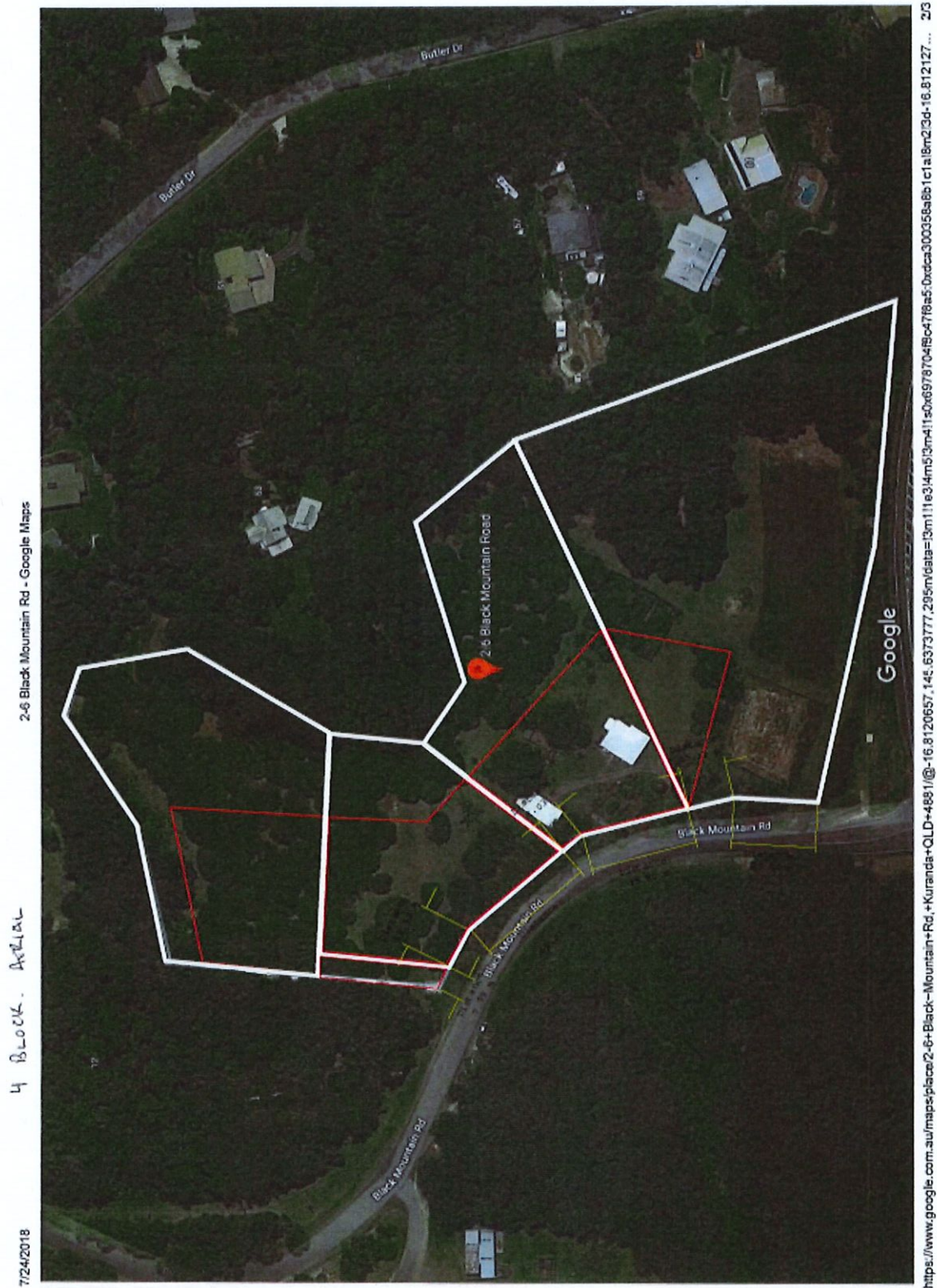
Enc:   Approved Plans/Documents  
      Referral Agency Response  
      Appeal Rights

Copy:   Department of State Development, Manufacturing, Infrastructure and Planning  
      [CairnsSARA@dsdmip.qld.gov.au](mailto:CairnsSARA@dsdmip.qld.gov.au)

## Approved Plans/Documents







21/11/2018  
B. [Signature]

## Referral Agency Response

RAS-N



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

Our reference: 1805-6718 SRA  
Your reference: RAL/18/0025

28 August 2018

The Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
Mareeba Qld 4880  
planning@msc.qld.gov.au

Attention: Brian Millard

Dear Mr Millard

**Referral agency response—with conditions**

Development Application seeking a Development Permit for Reconfiguring a Lot – One (1) Lot into Four (4) Lots on land located at 4-6 Black Mountain Road, Kuranda, more specifically Lot 1 on RP743970  
(Given under section 58 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 9 August 2018.

**Applicant details**

Applicant name:	Mr N Derakhshan
Applicant contact details:	23 Vallely Street Freshwater QLD 4870 liz@elizabethtaylor.net.au

**Location details**

Street address:	2-6 Black Mountain Road, Kuranda
Real property description:	Lot 1 on RP743970
Local government area:	Mareeba Shire Council

**Application details**

Development Permit	Reconfiguring a Lot – One (1) Lot into Four (4) Lots
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**Referral triggers**

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

Page 1 of 4

North and North West regional office  
Level 4, 445 Flinders Street, Townsville  
PO Box 5566, Townsville QLD 4810

1808-6718 SRA

- 10.9.4.2.1.1 State transport corridors and future State transport corridors
- 10.9.4.2.3.1 State transport corridors and future State transport corridors

**Conditions**

Under section 58(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

**Reasons for decision to impose conditions**

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**Approved plans and specifications**

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Proposal Plan of Reconfiguration	-	July 2018	-	-

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

For further information please contact Javier Samanes, AJ Principal Planning Officer, on 47583416 or via email [NQSARA@dsdmip.qld.gov.au](mailto:NQSARA@dsdmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Graeme Kenna  
Manager (Planning)

cc Mr N Derakhshan, [liz@elizabethtaylor.net.au](mailto:liz@elizabethtaylor.net.au)

enc Attachment 1—Conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Approved plans and specifications

1806-6718 SRA

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
<b>Reconfiguring a Lot – One (1) Lot into Four (4) Lots</b>		
10.9.4.2.1.1 and 10.9.4.2.3.1 – State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of 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.	Road access to the development must be provided generally in accordance with Proposal Plan of Reconfiguration, dated July 2018.	Prior to submitting the Plan of Survey to the local government for approval
2.	Direct access is not permitted between Kennedy Highway and the subject site.	At all times



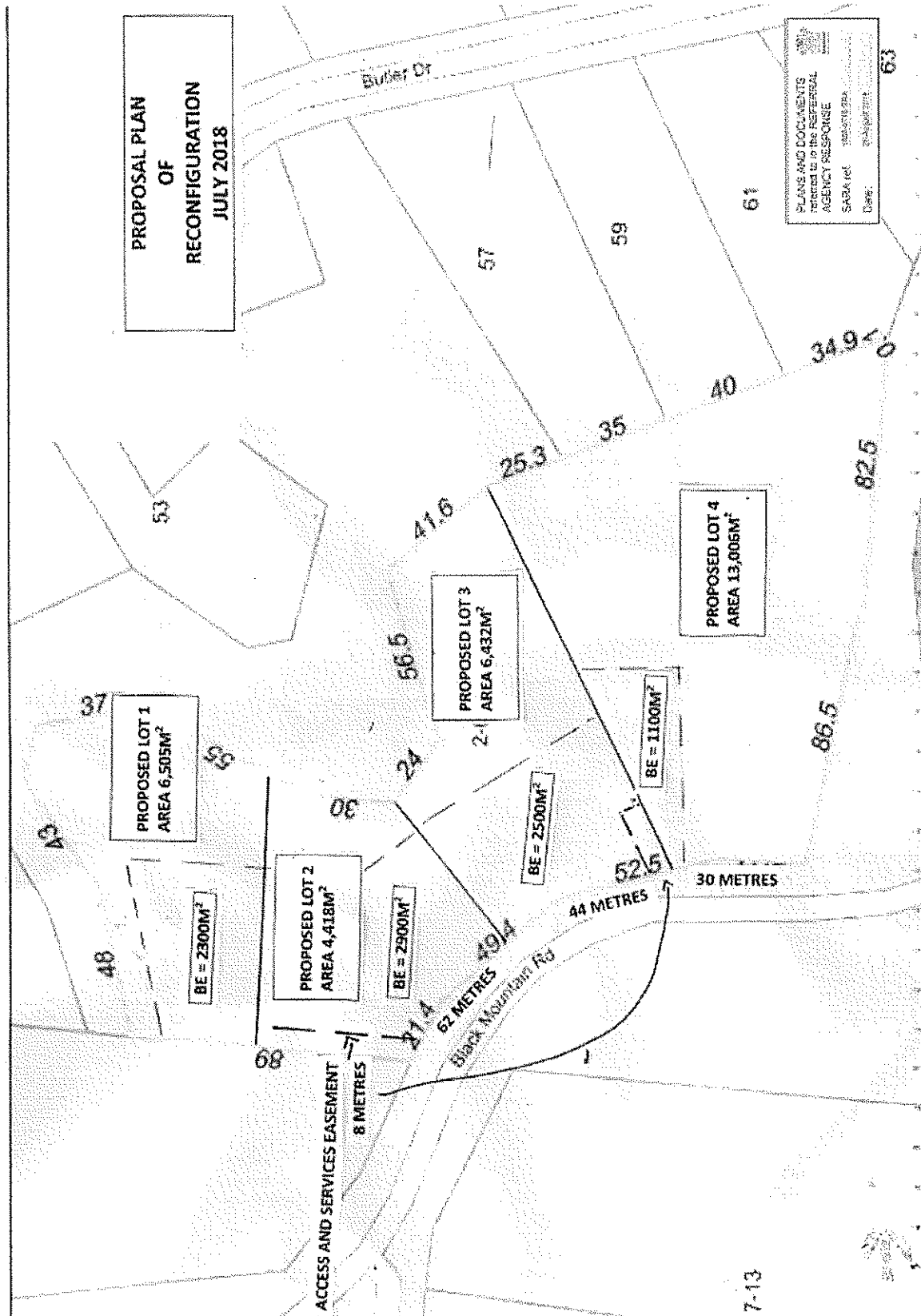
1808-6718 SRA

**Attachment 2—Reasons for decision to impose conditions**

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The reasons for the decision to impose conditions are:

- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure direct access to the state-controlled road is prohibited where not required.



## Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

### Chapter 6 Dispute resolution

#### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the Planning Act 2016 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.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note –*

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund-
  - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
  - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### 230 Notice of appeal

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

### 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 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, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a 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 the rules of the P&E Court.