



2 June 2026

Our Ref: 5261416
File Ref: MCU2026/0004
Enquiries: Luke Acreman

IJS and DA Urquhart
C/ - Milford Planning
Attn: Henry Wells
PO BOX 5463
TOWNSVILLE CITY QLD 4810

Sent via email: info@milfordplanning.com.au

Dear Henry,

Decision Notice – Approval
(Given under Section 63 of the *Planning Act 2016*)

The assessment manager wishes to advise that the application was approved under delegated authority on 2 June 2026. The approval is subject to reasonable and relevant conditions and supported by a notice of reasons as detailed below:

Applicant details

Applicant name: IJS and DA Urquhart C/- Milford Planning (Henry Wells)

Location details

Street address: 73 Gill Street, Charters Towers City
Real property description: Lot 808 on CT1824 and Lot 2 on RP725933
Current lawful use: Vacant

Application details

Application number: MCU2026/0004
Approval type: Development Permit
Development type: Material Change of Use and Building Work Assessable Against the Planning Scheme
Category of assessment: Impact Assessment
Description of development: Community Use (Museum) and Food and Drink Outlet (Soda Bar) involving partial demolition of a Local heritage place
Definition of use: Community Use, Food and Drink Outlet
Categorising instrument: Charters Towers Regional Town Plan Version 2

PO Box 189 Charters Towers Qld 4820

ADMINISTRATION: 12 Mosman Street Charters Towers Qld 4820 Australia

PH. (07) 4761 5300 | **F.** (07) 4761 5344 | **E.** mail@charterstowers.qld.gov.au | **ABN.** 67 731 313 583

www.charterstowers.qld.gov.au



1. Details of the approval

Details of the approval are listed below in accordance with the *Planning Regulation 2017*.

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Conditions of approval

Condition Number	Condition	Timing																																								
Approved Plans/Documents																																										
1)	<p>Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:</p> <table border="1"> <thead> <tr> <th>Drawing Title:</th> <th>Prepared by:</th> <th>Date:</th> <th>Reference No:</th> <th>Revision:</th> </tr> </thead> <tbody> <tr> <td>Title Page</td> <td>Drawing Works</td> <td>2/12/2025</td> <td>SK01</td> <td>B</td> </tr> <tr> <td>Site Plan</td> <td>Drawing Works</td> <td>3/12/2025</td> <td>SK02</td> <td>B</td> </tr> <tr> <td>Floor Plan</td> <td>Drawing Works</td> <td>2/12/2025</td> <td>SK03</td> <td>B</td> </tr> <tr> <td>Floor Plan – Soda Bar</td> <td>Drawing Works</td> <td>3/12/2025</td> <td>SK04</td> <td>B</td> </tr> <tr> <td>Internal Elevations</td> <td>Drawing Works</td> <td>2/12/2025</td> <td>SK06</td> <td>B</td> </tr> <tr> <td>Soda Bar - Perspectives</td> <td>Drawing Works</td> <td>3/12/2025</td> <td>SK07</td> <td>B</td> </tr> <tr> <td>Layout Plans</td> <td>Milford Planning</td> <td>27/05/2026</td> <td>M2635—SK-01</td> <td>A</td> </tr> </tbody> </table>	Drawing Title:	Prepared by:	Date:	Reference No:	Revision:	Title Page	Drawing Works	2/12/2025	SK01	B	Site Plan	Drawing Works	3/12/2025	SK02	B	Floor Plan	Drawing Works	2/12/2025	SK03	B	Floor Plan – Soda Bar	Drawing Works	3/12/2025	SK04	B	Internal Elevations	Drawing Works	2/12/2025	SK06	B	Soda Bar - Perspectives	Drawing Works	3/12/2025	SK07	B	Layout Plans	Milford Planning	27/05/2026	M2635—SK-01	A	At all times
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Layout Plans	Milford Planning	27/05/2026	M2635—SK-01	A																																						
General																																										
2)	<p>a) Comply with all conditions within this Development Permit with conditions prevailing over the approved plan(s) and document(s) in all instances</p> <p>b) Meet the cost of all works associated with the development including any alterations, relocations or repairs to damaged Council infrastructure, and</p> <p>a) All repairs, alterations and relocations of Council infrastructure are to be in accordance with the relevant Council policy and/or Australian Standard.</p>	At all times																																								



Damage		
3)	The developer is responsible for the repair of any damage that is caused to Council's infrastructure as a result of the construction works associated with the proposed development. The developer must make any damage safe and then notify Council immediately. Council will make the decision as to who will carry out the rectification works and the timing for the completion of those works.	At all times.
Environmental		
4)	Ensure that erosion and sedimentation control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's storm water drainage system. Erosion and sediment control is to be in accordance with <i>International Erosion Control Association – Best Practice Erosion & Sediment Control guidelines</i> and the <i>Queensland Urban Drainage Manual 2017</i> .	At all times
5)	Ensure that: a) Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants b) The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state, and c) All construction materials are contained wholly within the premises.	As part of construction works
6)	Where contaminated soils are evident, remedial works must be undertaken in accordance with <i>Environmental Protection Act 1994</i> . Where contaminated soils are identified, Council must be notified and provided with an appropriate Contaminated Soil Remedial Plan.	As part of construction works
External Lighting and Security		
7)	Install and maintain a suitable system of security lighting to operate from dusk to dawn within the rear parking and vehicle manoeuvring area, at building entrances, and footpaths under permanent awnings. All external lighting must be in accordance with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting so as to not cause nuisance or distraction to nearby premises or passing motorists.	At all times
Universal Access		
8)	Provide universal, safe and equitable access for the public and accommodate users with varying mobility needs, designed and constructed in accordance with AS 1428.1 (Design for Access and Mobility), or an equivalent standard in force at the time of building approval and must be certified as compliant by a Building Certifier.	At all times
Building, Plumbing and Drainage Works		
11)	Obtain a Development Permit and Building Final for Building Works in accordance with the <i>Planning Act 2016</i> . Construction is to comply with the <i>Building Act 1975</i> , the <i>National Construction Code</i> and the requirements of other relevant authorities.	Prior to construction



12)	Obtain a Permit for Plumbing and Drainage Works and Final Inspection Certificate in accordance with the <i>Plumbing and Drainage Act 2018</i> and the <i>Plumbing and Drainage Regulation 2019</i> . Construction is to comply with the <i>National Construction Code: Volume Three – Plumbing Code of Australia 2019</i> , the <i>Queensland Plumbing and Waste Water Code 1: 2019</i> and the requirements of other relevant authorities.	Prior to construction
Transport and Parking		
13)	A total of 5 car parking spaces are to be demarcated on site generally in accordance with the approved plans. These spaces must be line marked or marked by signage and maintained for the duration of the use.	As part of construction, and to be maintained at all times
14)	All areas of the site that are not sealed must be treated with a durable hardstand surface (e.g. compacted gravel, pavement) to ensure dust suppression, operational safety, durability and to reduce ongoing maintenance issues. The surface treatment must be maintained in good condition at all times to prevent erosion, sediment runoff, and nuisance impacts.	As part of construction, and to be maintained at all times
Waste Management		
15)	Waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted near the enclosure to ensure the area can be easily and effectively cleaned.	As part of construction and to be maintained
Stormwater Management		
16)	The development must not worsen stormwater drainage conditions on adjoining properties, downstream properties, or Council roads and infrastructure. This includes ensuring that runoff from the site does not increase flooding, ponding, erosion, or damage beyond existing conditions.	As part of construction, and at all times
Signage		
17)	All signage and advertising devices are to comply with section 4.3.3 of the Heritage Town plan policy.	At all times.
Heritage Conditions		
18)	Submit photographs of the area of development, both before and after the development is completed to Charters Towers Regional Council at development@chartersowers.qld.gov.au . The submission must state the address of the place and the application number.	Within 10 business days of completion of the development
19)	Protect the existing features of the local heritage place from incidental damage and maintain protective measures to ensure the development does not result in damage to, or deterioration of, the Local heritage place caused by weather, fire, vandalism, insects or other factors.	As part of construction, and at all times
20)	During construction, should damage occur to any features of the Local heritage place report such incidents immediately to the Planner at development@chartersowers.qld.gov.au .	Immediately, should damage occur.



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

There are no other requirements.

9. Infrastructure Charges

In accordance with [Council's Infrastructure Charges Resolution \(No. 3\) 2020](#), Table 4: Variations to adopt charges, Council will not be issuing an Infrastructure Charges Notice as the development meets the criteria for “*re-use of an existing premises*”.

10. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*). Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website: <http://www.courts.qld.gov.au/courts/planning-and-environment-court>.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*. The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 and Schedule 1 of the *Planning Act 2016*.

Should you wish to discuss this matter, please contact Council on (07) 4761 5300.

Yours faithfully



Timna Green
Manager Planning & Development



Project No.
2025082

Project Title
WHITBREADS SODA BAR

APPROVED PLAN
Planning and Development

CHARTERS TOWERS REGIONAL COUNCIL

DATE: 2 June 2026
APPLICATION: MCU2026/0004

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Contractor



CONCEPT

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BUILDING REGULATIONS & LOCAL GOVERNMENT PLANS & POLICIES
CURRENT ISSUES OF AUSTRALIAN STANDARDS
CURRENT MANUFACTURER'S SPECIFICATIONS & INSTALLATION DETAILS
FOR MATERIALS USED

NOTE: ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE NOTED

Revision Schedule		
Rev.	Description	Date
A	PRELIMINARY CONCEPT ISSUE	
B	CONCEPT	21/2/2025



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DESIGNED
Designer

REVIEWED
Checker

DRAWN
LMU

SIGNED:

Project Title
WHITBREADS SODA BAR

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Sheet Title
TITLE PAGE

Project No.
2025082

Sheet No.
SK01

Scale (A1)

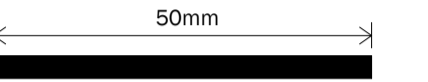
REVISION
B

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Revision Schedule

Rev.	Description	Date
A	PRELIMINARY CONCEPT ISSUE	
B	CONCEPT	2/12/2025

CONCEPT

Principal Contractor

Engineer

Project Title
WHITBREADS SODA BAR

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Sheet Title
SITE PLAN

Drawn by

LMJ

SIGNATURE OF BUILDING DESIGNER

Issue Date

03/12/2025

Scale (A3)

1 : 200

Project No.

2025082

Sheet No.

SK02

REAL PROPERTY DESCRIPTION

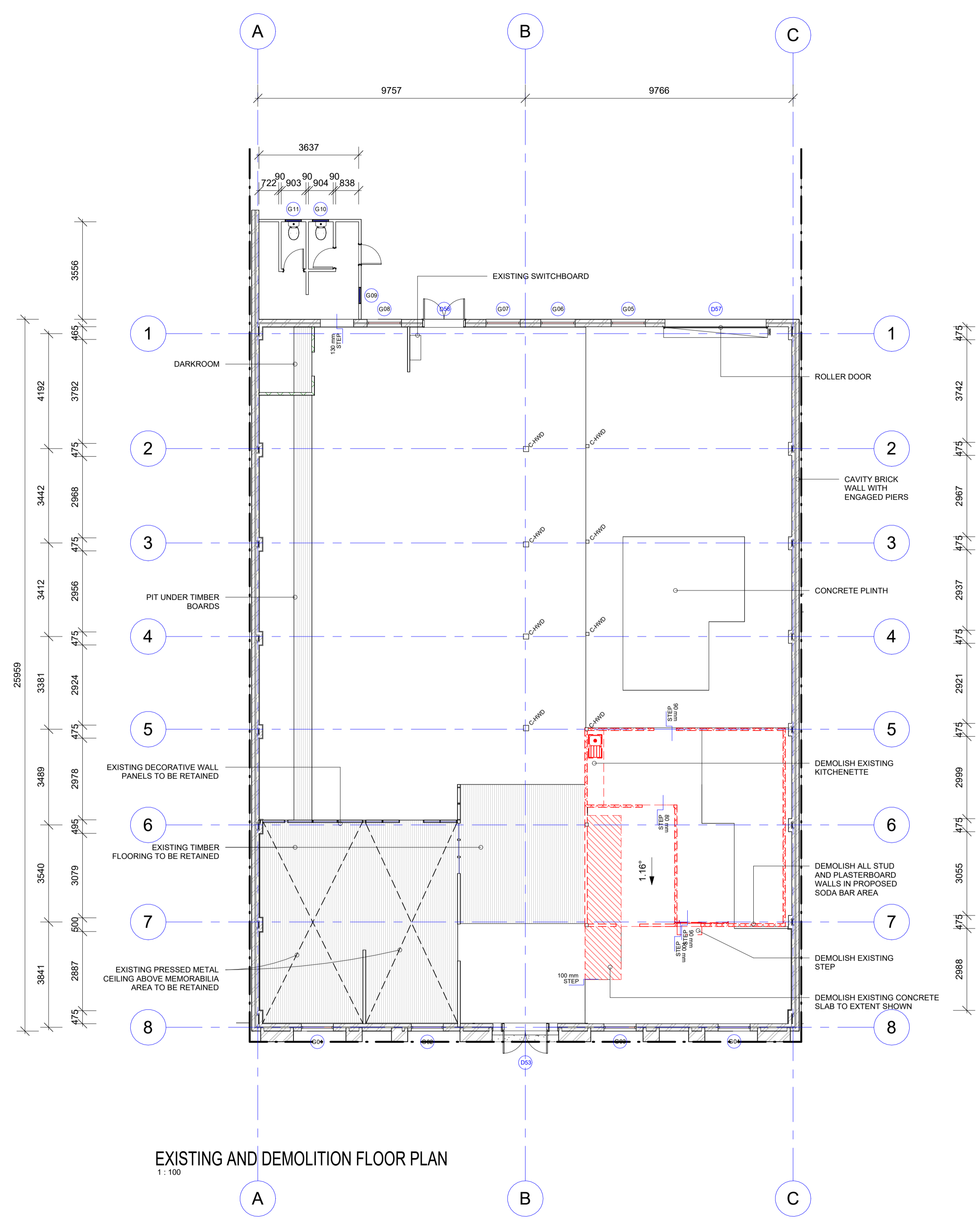
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PARISH CHARTERS TOWERS
COUNTY DAVENPORT
SITE 1011.7
LEGAL AUTHORITY:
DISTRICT: NORTH KENNEDY
PRECINCT.



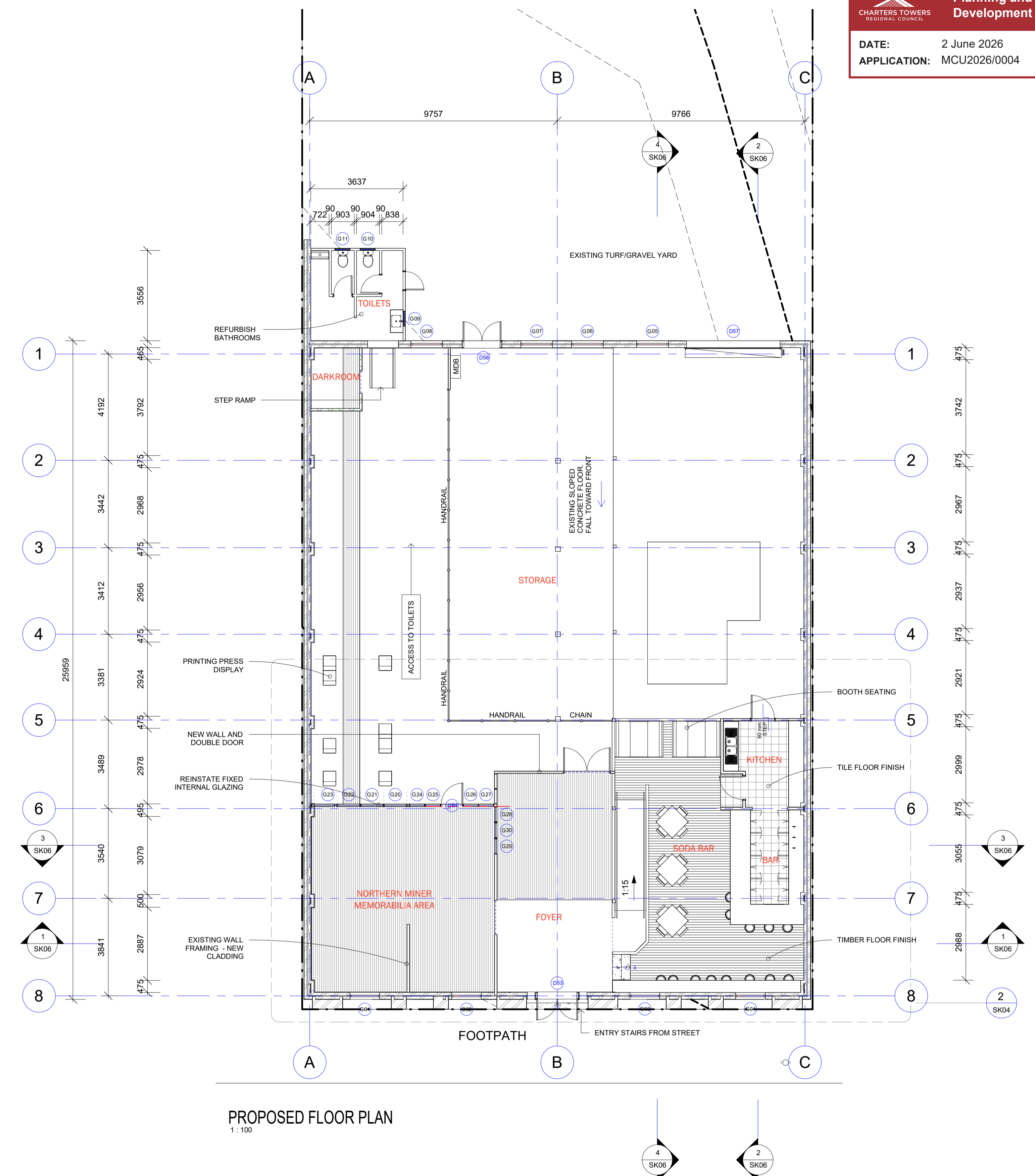
GILL STREET

APPROVED PLAN
Planning and Development

DATE: 2 June 2026
APPLICATION: MCU2026/0004



EXISTING AND DEMOLITION FLOOR PLAN
1:100



PROPOSED FLOOR PLAN
1:100

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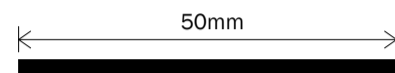

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 Designer
 REVIEWED
 Checker
 DRAWN
 LMU
 SIGNED:

Project Title
WHITBREADS SODA BAR
 Site Address
 73 GILL STREET, CHARTERS TOWERS
 Client
 DEBBIE URQUHART

Sheet Title
FLOOR PLAN
 Project No.
 2025082

Sheet No.
SK03
 Scale (A1)
 1:100
 REVISION
B



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Revision Schedule

Rev.	Description	Date
A	PRELIMINARY CONCEPT ISSUE	
B	CONCEPT	2/12/2025

CONCEPT

Principal Contractor

Engineer

Project Title
WHITBREADS SODA BAR

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Sheet Title
FLOOR PLAN - SODA BAR

Drawn by

LMJ

SIGNATURE OF BUILDING DESIGNER

Issue Date

03/12/2025

Scale (A3)

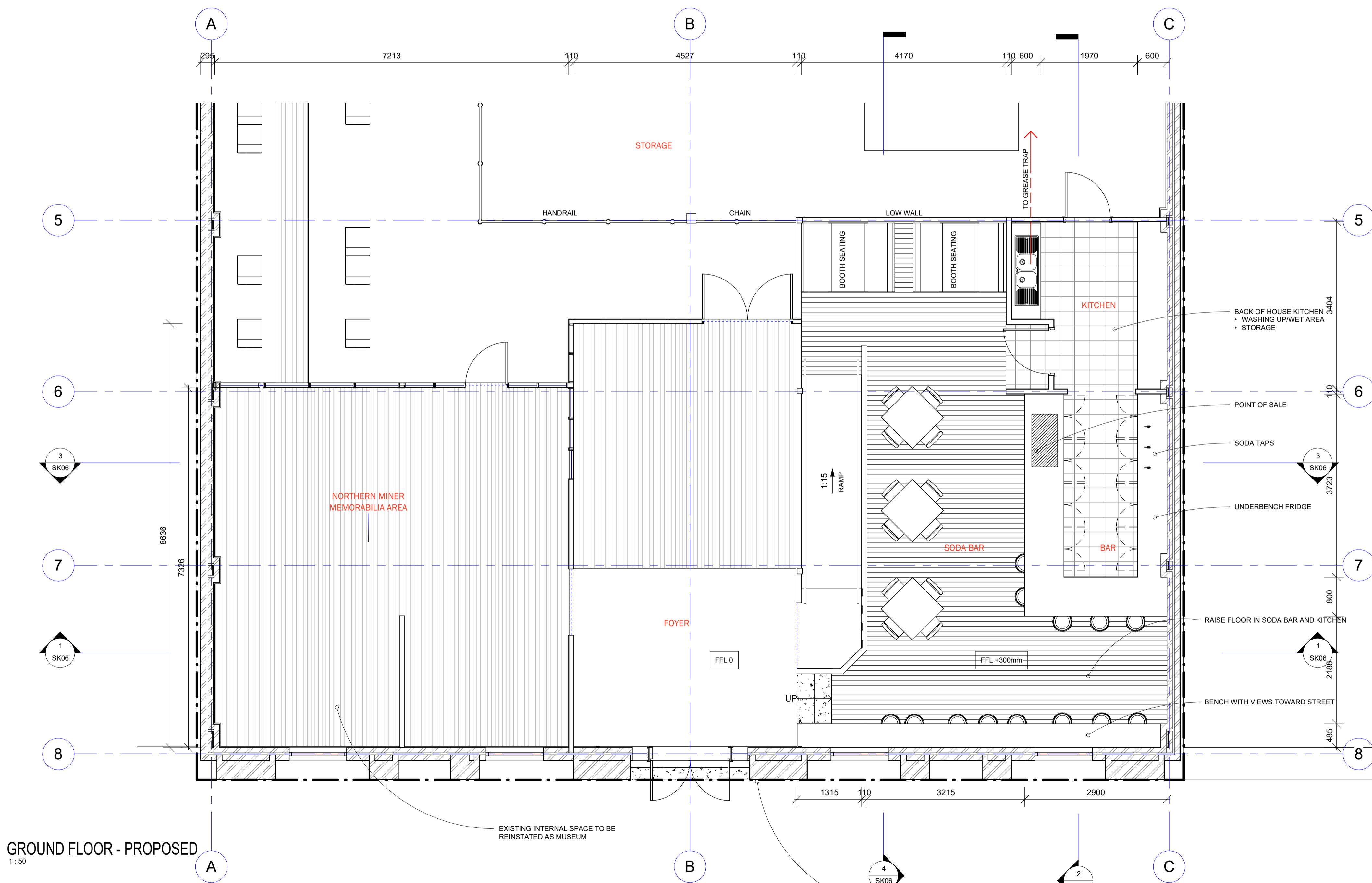
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Project No.

2025082

Sheet No.

SK04



GROUND FLOOR - PROPOSED
1:50

APPROVED PLAN
Planning and Development

DATE: 2 June 2026
APPLICATION: MCU2026/0004

Revision Schedule

Rev.	Description	Date
A	PRELIMINARY CONCEPT ISSUE	
B	CONCEPT	2/12/2025

CONCEPT

Principal Contractor

Engineer

Project Title
WHITBREADS SODA BAR

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Sheet Title
INTERNAL ELEVATIONS

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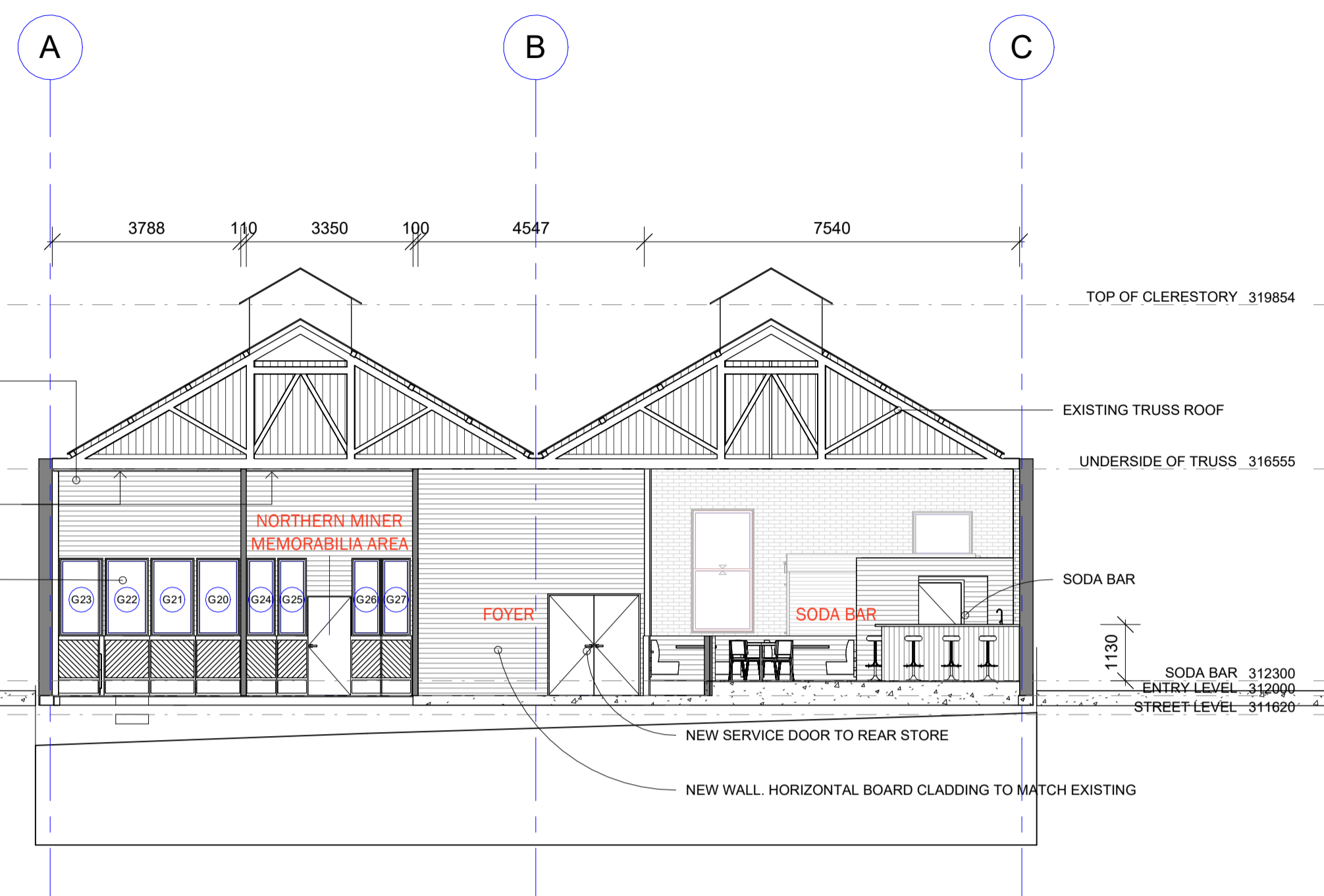
SIGNATURE OF BUILDING DESIGNER

Project No.
2025082

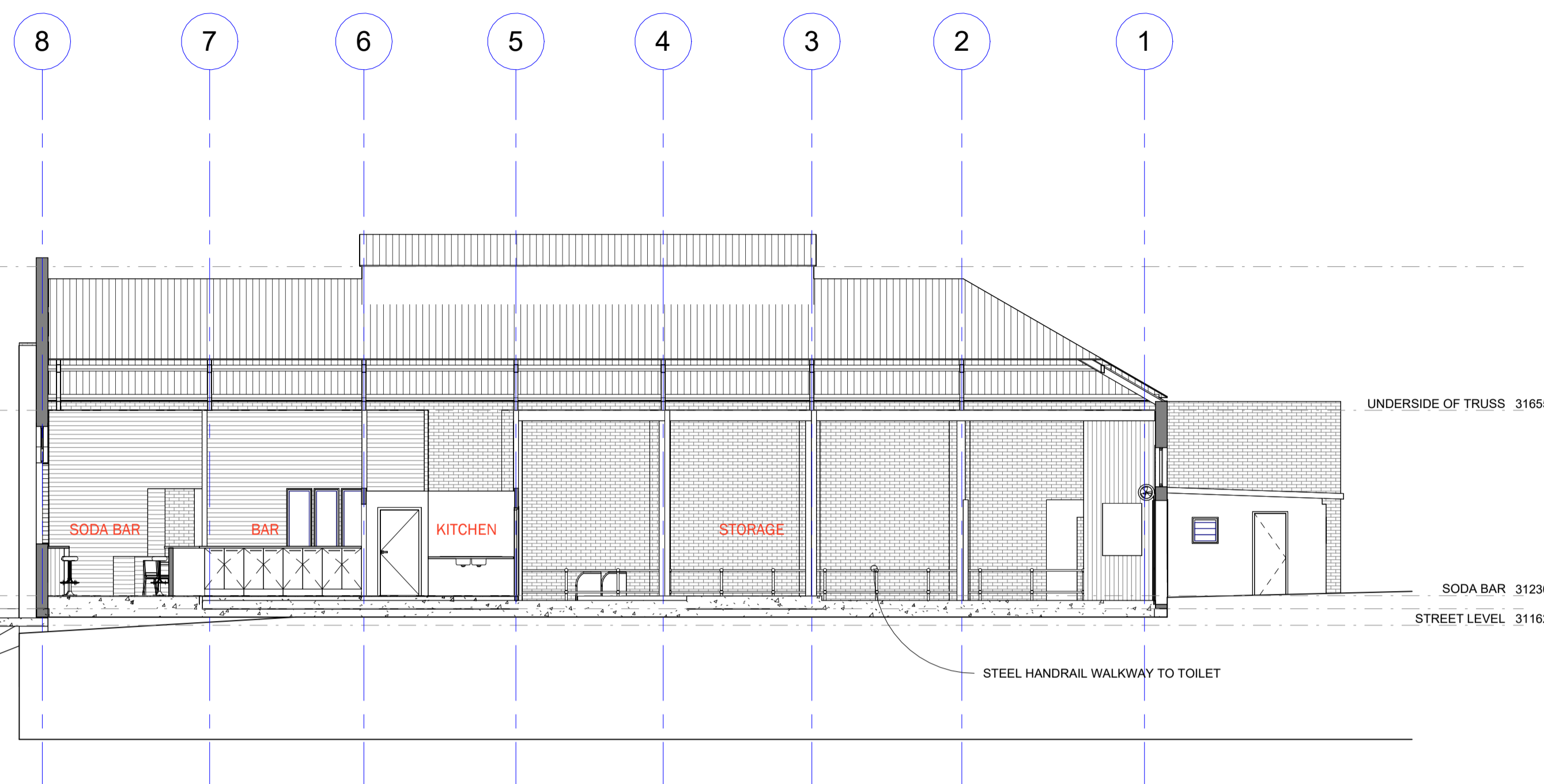
Issue Date
03/12/2025
Scale (A3)
1: 100

Sheet No.
SK06

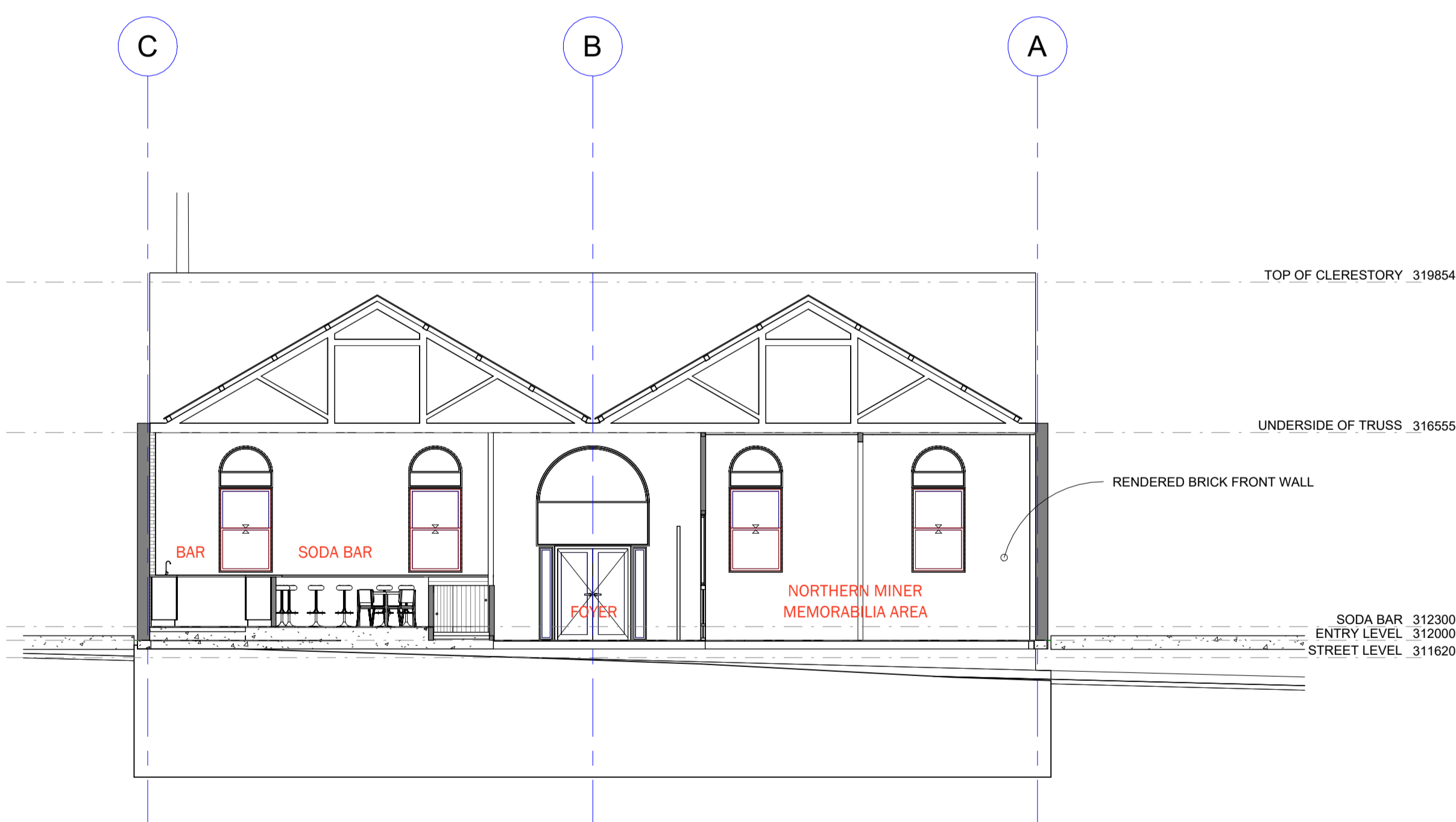
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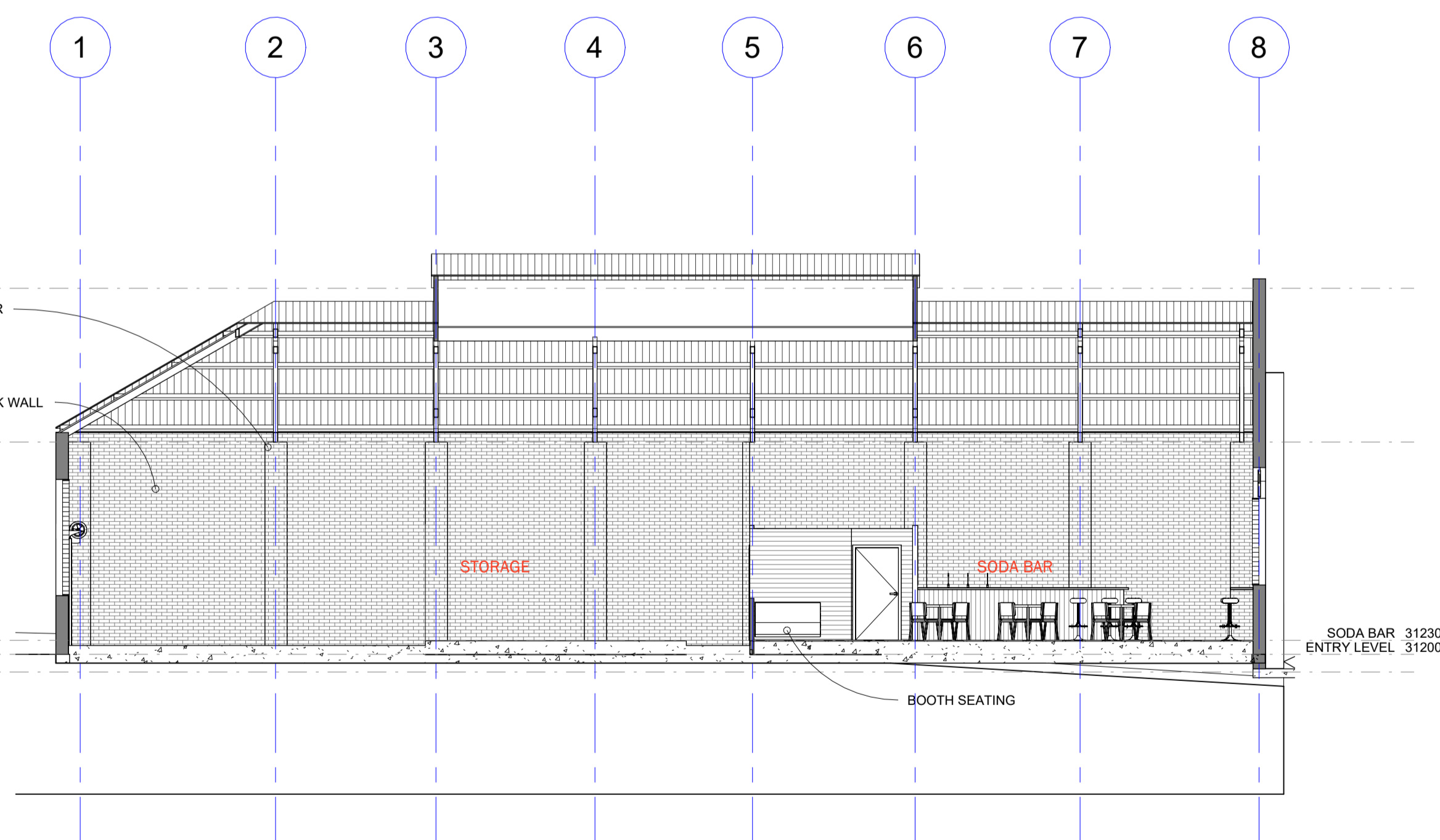
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2 SECTION 2
SK06 1: 100



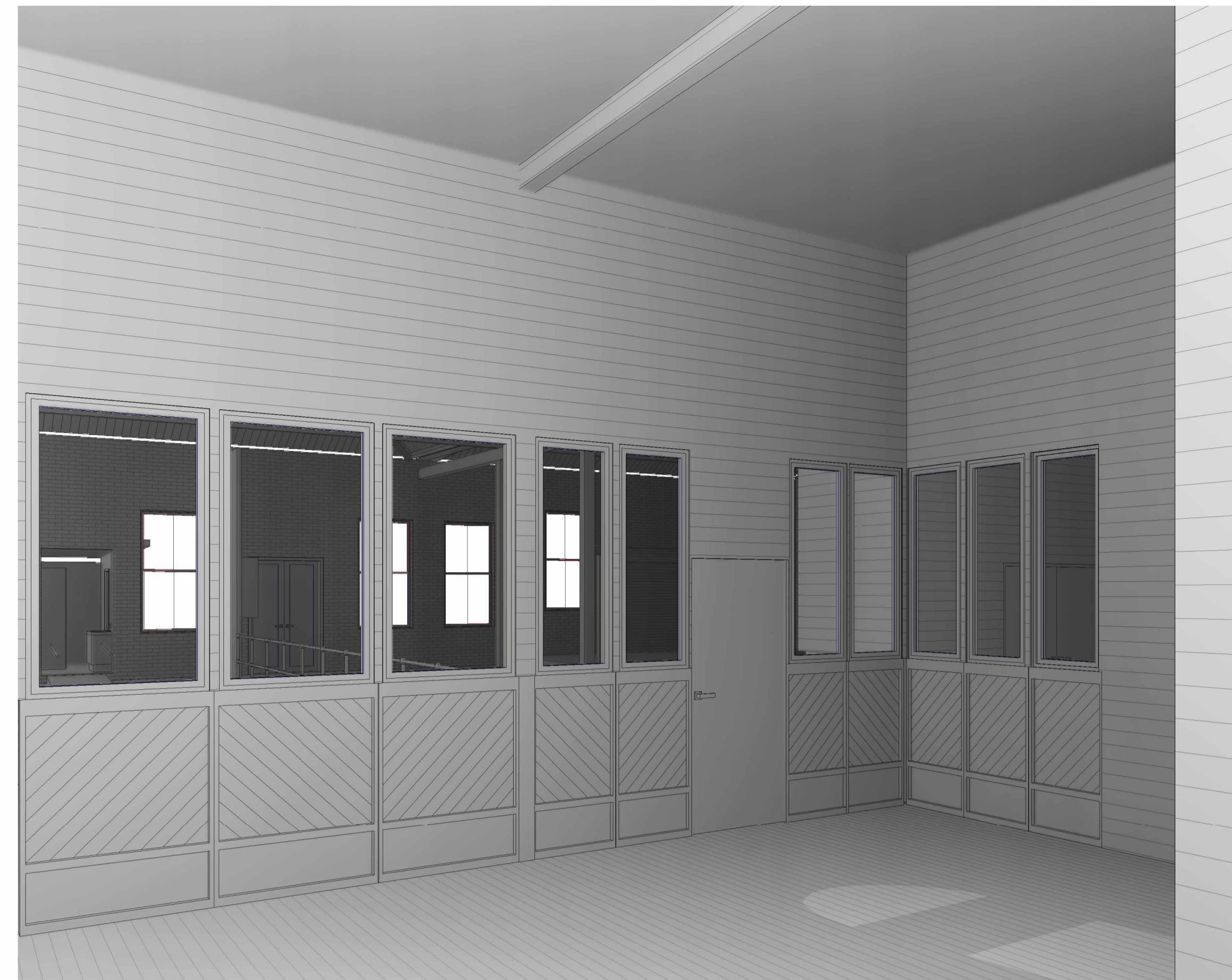
3 SECTION 3
SK06 1: 100



4 SECTION 4
SK06 1: 100

APPROVED PLAN
Planning and Development

DATE: 2 June 2026
APPLICATION: MCU2026/0004



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Revision Schedule

Rev.	Description	Date
A	PRELIMINARY CONCEPT ISSUE	
B	CONCEPT	2/12/2025

CONCEPT

Principal Contractor

Engineer

Project Title
WHITBREADS SODA BAR

Site Address
73 GILL STREET, CHARTERS TOWERS

Client
DEBBIE URQUHART

Sheet Title
SODA BAR - PERSPECTIVES

 **APPROVED PLAN**
Planning and Development

DATE: 2 June 2026
APPLICATION: MCU2026/0004

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Issue Date
03/12/2025
Scale (A3)

Project No.
2025082

Sheet No.
SK07

B

RYAN STREET



Drawing
Layout Plan

Property
73 Gill Street, Charters Towers
Lot 808 on CT1824; and
Lot 2 on RP725933

Drawing Number	Issue	Sheet
M2635-SK-01	A	1
Date	Author	Reviewer
27.5.26	DD	HW

Legend

- Cadastre
- Subject Site
- Staff parking



DATE: 2 June 2026
APPLICATION: MCU2026/0004

Scale (A3 Original)
1:400
0 3 6 9 12 15 m

Sources
Milford Planning GIS (2026)
DCDB extract - State of Queensland (2026)
Aerial imagery - Bing (2026)

Disclaimer
Areas and dimensions are approximate only
and are subject to site survey.



GILL STREET

Planning Act 2016

Reprint current from 2 August 2024

Chapter 6 > Part 1

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 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.