



HINCHINBROOK SHIRE COUNCIL

Our Ref: MCU17/0010

30 April 2018

The Director
U & i Town Plan
PO Box 426
Cooktown QLD 4895

Email: ramon@uitownplanning.com

Attention: Ramon Samanes

Dear Sir,

DECISION NOTICE *Planning Act 2016*

In relation to your request for material change of use, Council have assessed your application and it was APPROVED SUBJECT TO CONDITIONS. The decision was made on 24 APRIL 2018.

APPLICATION DETAILS

Application Number:	MCU17\0010	
Property ID Number:	100346	
Applicant Details:	U & i Town Plan PO Box 426 Cooktown QLD 4895	
Owner Details:	Hinchinbrook Aboriginal & Islander Housing Corporation Society PO Box 1098 Ingham QLD 4850	
Property Description:	8 Alm Street, Ingham, Queensland, 4850 Lot 11 on RP717839, Parish of Cordelia	
Proposal:	Material Change of Use -	Multiple Unit Development (3 x 1 Bedroom Units)



Level of Assessment:	Impact Assessment
Assessment Benchmarks:	Residential Zone Code; and Flooding & Inundation Code

DEEMED APPROVAL

The application has not deemed to be approved under s.64 of the *Planning Act 2016*.

CONDITIONS OF APPROVAL

The conditions of this approval are set out in the Schedule of Conditions. The conditions are identified to indicate whether the Assessment Manager or a referral agency (if any) imposed them.

REFERRAL AGENCIES

Referral Agency and Address	Referral Trigger
Department of Infrastructure, Local Government and Planning State Assessment and Referral Agency PO Box 5666 Townsville QLD 4810 Email: nqsara@dilgp.qld.gov.au	Material Change of Use of premises near a State transport corridor or that is a future State transport corridor <i>Planning Regulation 2017 Schedule 10, Part 9, Division 4, Subdivision 2, Table 4</i>

SUBMISSIONS

There were **NIL (0)** properly made submissions about this application during the public notification period from 19 February 2018 to 12 March 2018.

In accordance with the *Planning Act 2016* a list of the names and addresses of any submitter is provided with this notice. (if applicable).

INFRASTRUCTURE CHARGES

An adopted infrastructure charges notice will be issued for this development approval.

PROPERTY NOTES

Not Applicable

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable

RIGHTS OF APPEAL

You may appeal against any matter stated in the Decision Notice. Chapter 6, Part 1 and Part 2 of the *Planning Act 2016* detail appeal rights afforded to the applicant and submitter/s (if any) to the Planning and Environment Court or Building and Development Dispute Resolution Committee. Attached are the relevant provisions of the *Planning Act 2016* relating to the Rights of Appeal.



APPROVAL CURRENCY PERIOD

s.85 of the *Planning Act 2016* indicates when an approval lapses and this section is attached for your information.

APPROVED PLANS & SPECIFICATIONS

In accordance with the *Planning Act 2016*, a copy of the approved plans and specifications (if relevant) are attached.

FURTHER INFORMATION

The development must be carried out in accordance with the approved plans and specifications and the requirements of all relevant laws, and any deviation there from must have the prior approval of the Chief Executive Officer.

This approval does not authorise any building work, any works within Council's Road Reserve (e.g. new/additional accesses, repair/modifications to existing accesses or works to footpaths), or any filling of land permits.

Should you have any questions or seek clarification with regard to any aspect of this notice, I encourage you to contact Council's Development, Planning and Environmental Services on telephone (07) 4776 4609.

Yours sincerely,

Gerhard Visser
Planning & Development Manager

Enclosed: Approved Plans/Documents
 Referral Agency Conditions
 Appeal Rights



NOTICE ABOUT DECISION – STATEMENT OF REASONS

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

This Notice is prepared in accordance with s.63(5) and s.83(7) of the *Planning Act 2016* to inform the public 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*.

REASONS FOR THE DECISION

Council resolve to issue a Development Permit for Material Change of Use – Multiple Unit Development (3 x 1 Bedroom Units) on Lot 11 on RP717839, Parish of Trebonne at 8 Alm Street, Ingham, subject to conditions.

The proposed development is considered to be consistent with the relevant overall outcomes of the current planning scheme and the draft planning scheme, in particular:

- Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities or local character and amenity;
- The proposed development is residential in scale and will not detract from the streetscape or amenity of the surrounding locality;
- The proposed development is of scale and nature that aligns with the land use intent for the site in the context of the zone designation;
- The proposal for a material change of use for a multiple unit development does not compromise the character and amenity of the surrounding area; and
- The proposed development does not compromise relevant State Planning Policy.



CONDITIONS OF APPROVAL

ALM ST MULTIPLE UNIT DEVELOPMENT - CONDITIONS OF APPROVAL LOT 11 on RP717839, PARISH OF CORDELIA								
Conditions		Compliance timing						
Administration								
(1) The developer is responsible to carry out the approved development and comply with relevant requirements in accordance with:- <ul style="list-style-type: none"> a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the technical reports; b. The development must unless otherwise stated, be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards c. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering. d. The conditions of the Infrastructure Charges Notice. e. The conditions of the Referral Authority Advices <ul style="list-style-type: none"> (i) 1712-3073 SRA dated 13/02/2018 		At all times						
Currency Period								
(2) The currency period applicable to this approval. <ul style="list-style-type: none"> • MCU/ROL – 6 years until 1 May 2024 		At all times						
Approved plans								
(3) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: <table border="1" data-bbox="244 1207 1174 1308"> <thead> <tr> <th>Plan / Document Name</th><th>Number</th><th>Date</th></tr> </thead> <tbody> <tr> <td>Various Housing Alm Street</td><td>17HAI01</td><td>08.11.17</td></tr> </tbody> </table>		Plan / Document Name	Number	Date	Various Housing Alm Street	17HAI01	08.11.17	At all times
Plan / Document Name	Number	Date						
Various Housing Alm Street	17HAI01	08.11.17						
(4) Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		At all times						
(5) Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works		At all times						
Internal works								
Water								
(6) Provide each individual tenancy or dwelling unit with separate system for the metering of water consumption;		Prior to final building / plumbing certification						
(7) Water supply sub-metering must be designed and installed in accordance with The Plumbing and Drainage Act 2002 and the Water Act 2000 (applies to developments which will be reconfigured by Building Format Plan);		Prior to final building / plumbing certification						
Sewerage								
(8) Provide a single internal sewer connection to each unit which must be clear of any building or structures;		Prior to final building / plumbing certification						



**ALM ST MULTIPLE UNIT DEVELOPMENT - CONDITIONS OF APPROVAL
LOT 11 on RP717839, PARISH OF CORDELIA**

Conditions	Compliance timing
<p>Plumbing</p> <p>(9) All plumbing and sanitary drainage works must be in accordance with regulated work under the Plumbing and Drainage Act and Council Plumbing and Drainage Policies and must be completely separate for each dwelling unit</p>	Prior to final building / plumbing certification
<p>Drainage</p> <p>(10) The Applicant/Developer must submit for Council's consideration and approval a detailed stormwater drainage plan. The plan must reflect the following considerations:</p> <ul style="list-style-type: none"> (i) Surface drainage must be catered for in a manner that lessens possible impacts in receiving areas; and (ii) The development must drain to road frontages or other legal point of discharge 	Prior to final building / plumbing certification
<p>Existing Services</p> <p>(11) Written confirmation of the location of existing electrical and telecommunication services for the land must be provided by either the applicant or a licensed surveyor. In any instance where existing services are contained within another lot, relocate the services to be contained within the respective lot or to within a reciprocal services easements.</p>	Prior to final building / plumbing certification
<p>Building</p> <p>(12) The Applicant is to seek and comply with all relevant building approvals to be issued by a qualified Building Certifier.</p> <p>(13) Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting".</p>	<p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p>
<p>Landscaping</p> <p>(14) A landscaping plan must be submitted for approval</p> <p>(15) Any landscaped areas must be subject to an ongoing maintenance.</p>	<p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p>
<p>On-Site Parking</p> <p>(16) Sufficient on-site car parking in accordance with the provisions of the relevant Hinchinbrook Shire Planning Scheme 2005 and to Australian Standards AS2890.1, must be provided.</p>	Prior to final building / plumbing certification
External Works	
<p>Access Road works</p> <p>(17) The existing crossover access to Lot 11 RP717839 must be removed with the kerb and channel reinstated.</p> <p>(18) The new access to the southern side of the property is to be constructed in accordance with Council's standard engineering specifications and must be constructed to a minimum concrete standard from the kerb and channel to the property boundary.</p> <p>(19) The turnout from the sealed extent of Alm Street to the kerb and channel is to be constructed to a sealed standard e.g. spray seal or asphalt.</p>	<p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p>



**ALM ST MULTIPLE UNIT DEVELOPMENT - CONDITIONS OF APPROVAL
LOT 11 on RP717839, PARISH OF CORDELIA**

Conditions	Compliance timing
<p>(20) A Private Works in Road Reserve Permit must be obtained prior to commencing works.</p> <p>Lawful Point of Discharge</p> <p>(21) All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.</p> <p>Telecommunications</p> <p>(22) The Applicant/Developer must provide telecommunications conduits under the access driveway to limit future excavation of the sealed surface</p> <p>Electricity</p> <p>(23) Provide evidence that adequate electricity supply standard or renewable energy will be supplied and is supported/approved by relevant authority.</p> <p>Damage to Infrastructure</p> <p>(24) In the event that any part of Council's infrastructure is damaged as a result of work associated with the development, Council must be notified immediately of the affected infrastructure and have it repaired or replaced by Council, at no cost to Council. All works must be completed prior to the issue of a Compliance Certificate for the Plan of Survey.</p>	<p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p> <p>Prior to final building / plumbing certification</p>



HINCHINBROOK SHIRE COUNCIL

File Ref: MCU17\0010



Data Sources & Acknowledgements

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Application for Material Change of Use: Multiple Unit Development

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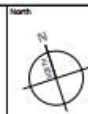
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AD01.00	DEMOLITION PLAN - ALM STREET
AD01.01	OVERALL SIT PLAN - ALM STREET
AD02.01	FLOOR PLAN - ALM STREET
AD02.02	ROOF PLAN - ALM STREET
AD03.01	PLUMBING PLAN - ALM STREET
AD03.02	ELECTRICAL PLAN - ALM STREET
AD04.01	ELEVATION SHEET - ALM STREET
AD04.02	SECTION SHEET - ALM STREET

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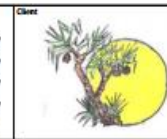
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Drawing Status
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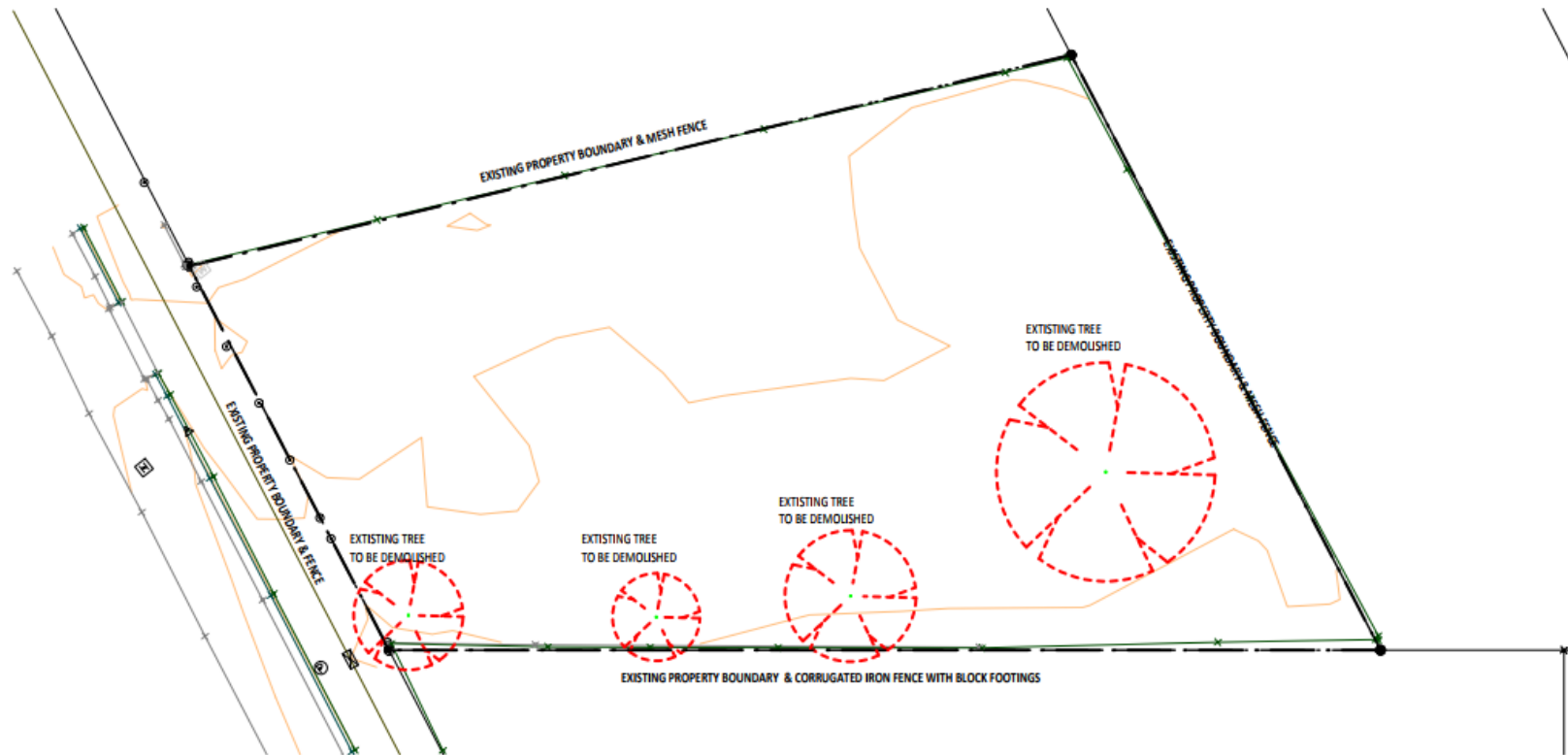
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P3 PRELIMINARY ISSUE	06.07.17
P2 PRELIMINARY ISSUE	21.06.17
P1 PRELIMINARY ISSUE	20.06.17
Rev Description	Date



Project Manager / Structural Engineer:	Drawn Author
	Date 08.11.17
	Verification Checker
	Partner Designer

Site Information

Project Description VARIOUS HOUSING	Scale @ A3
Drawing Title COVER SHEET - ALM STREET	
Master Site Number 17HAI01	Drawing Number AD00.00
	Revision P 4



1
AA04.01

SITE PLAN - DEMOLITION ALM STREET

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Drawing Status

PRELIMINARY ISSUE

Scale

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SCALE 1:200

Revision Schedule

P 4 PRELIMINARY ISSUE	08.11.17
P 3 PRELIMINARY ISSUE	06.07.17
P 2 PRELIMINARY ISSUE	21.06.17
P 1 PRELIMINARY ISSUE	20.06.17
Rev Description	Date

Client



Project Manager /
Structural Engineer:



Drawn
Author
Date
08.11.17
Verification
Checker
Partner
Designer

Site Information:

Project Description
VARIOUS HOUSING

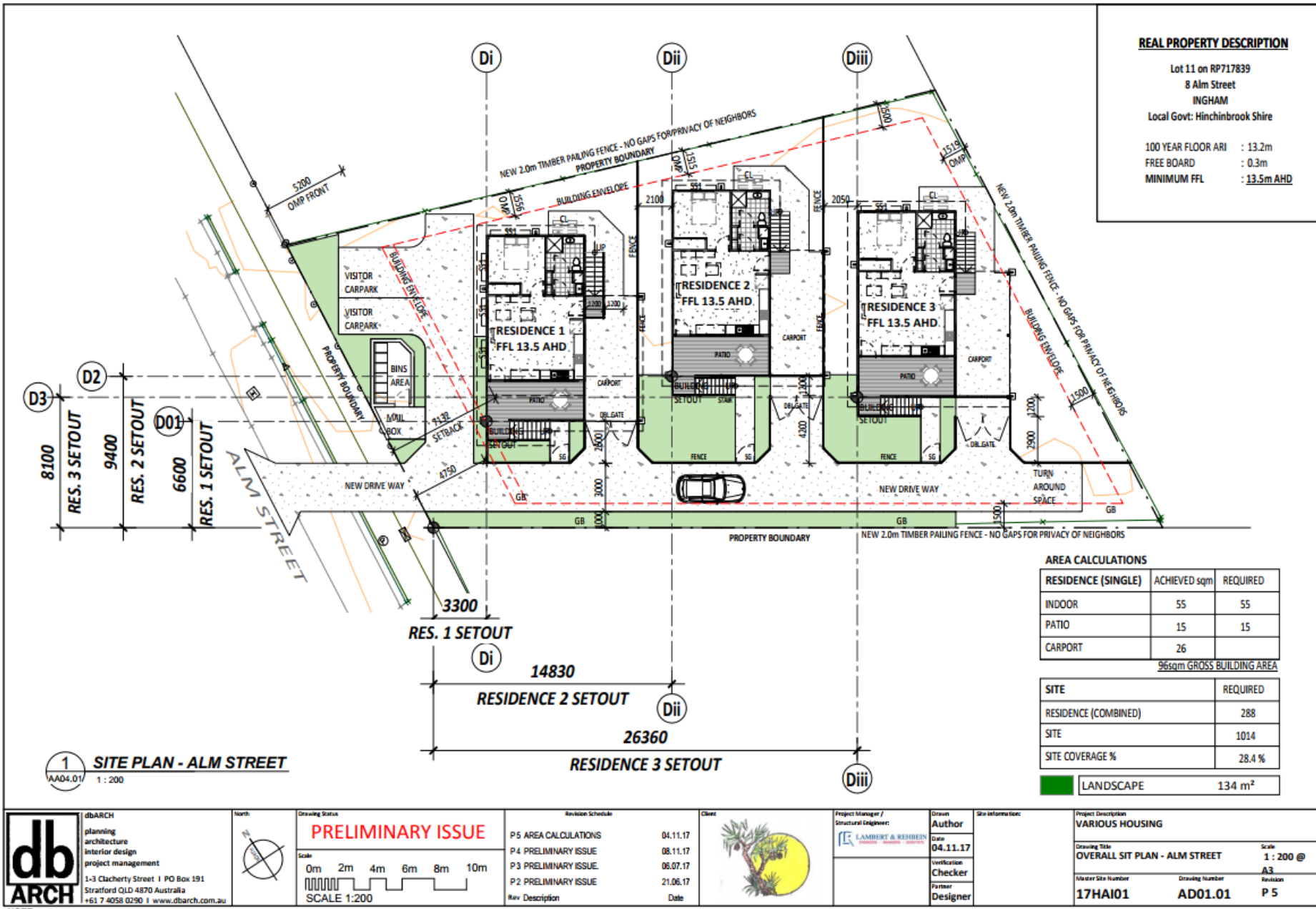
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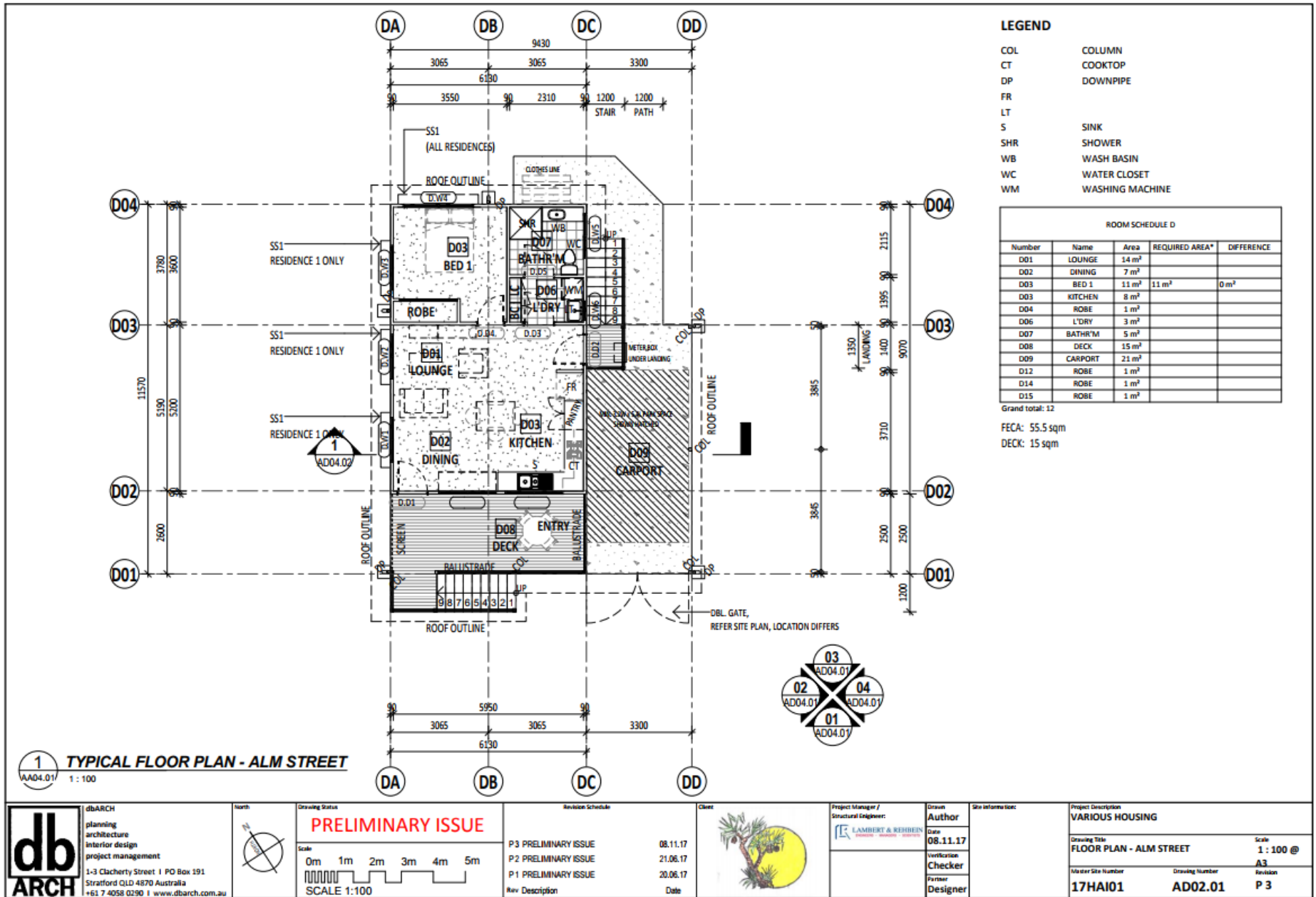
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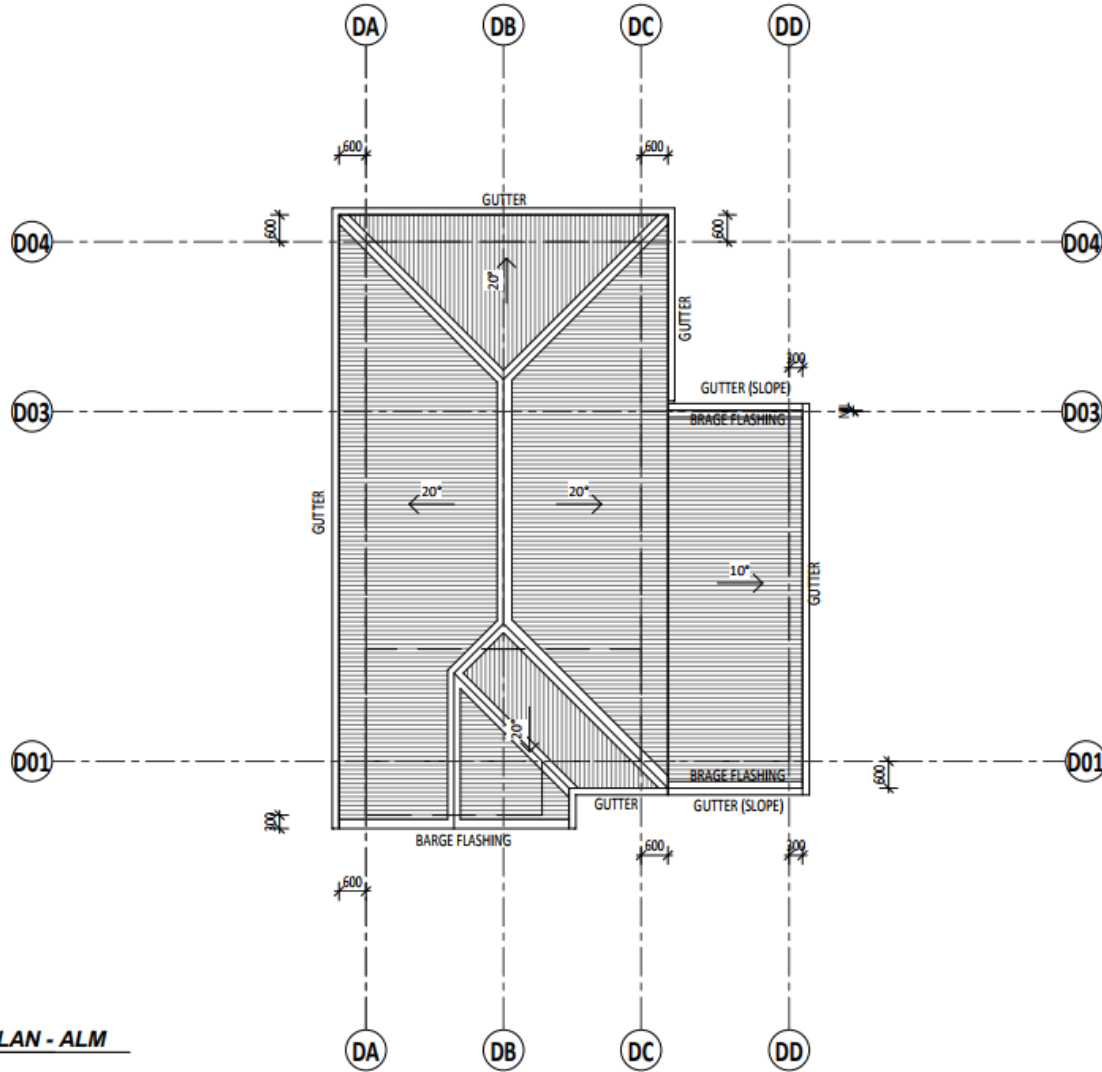
Master Site Number
17HAI01

Drawing Number
AD01.00

Revision
P 4







1 ROOF PLAN - ALM
WA04.01 1 : 100

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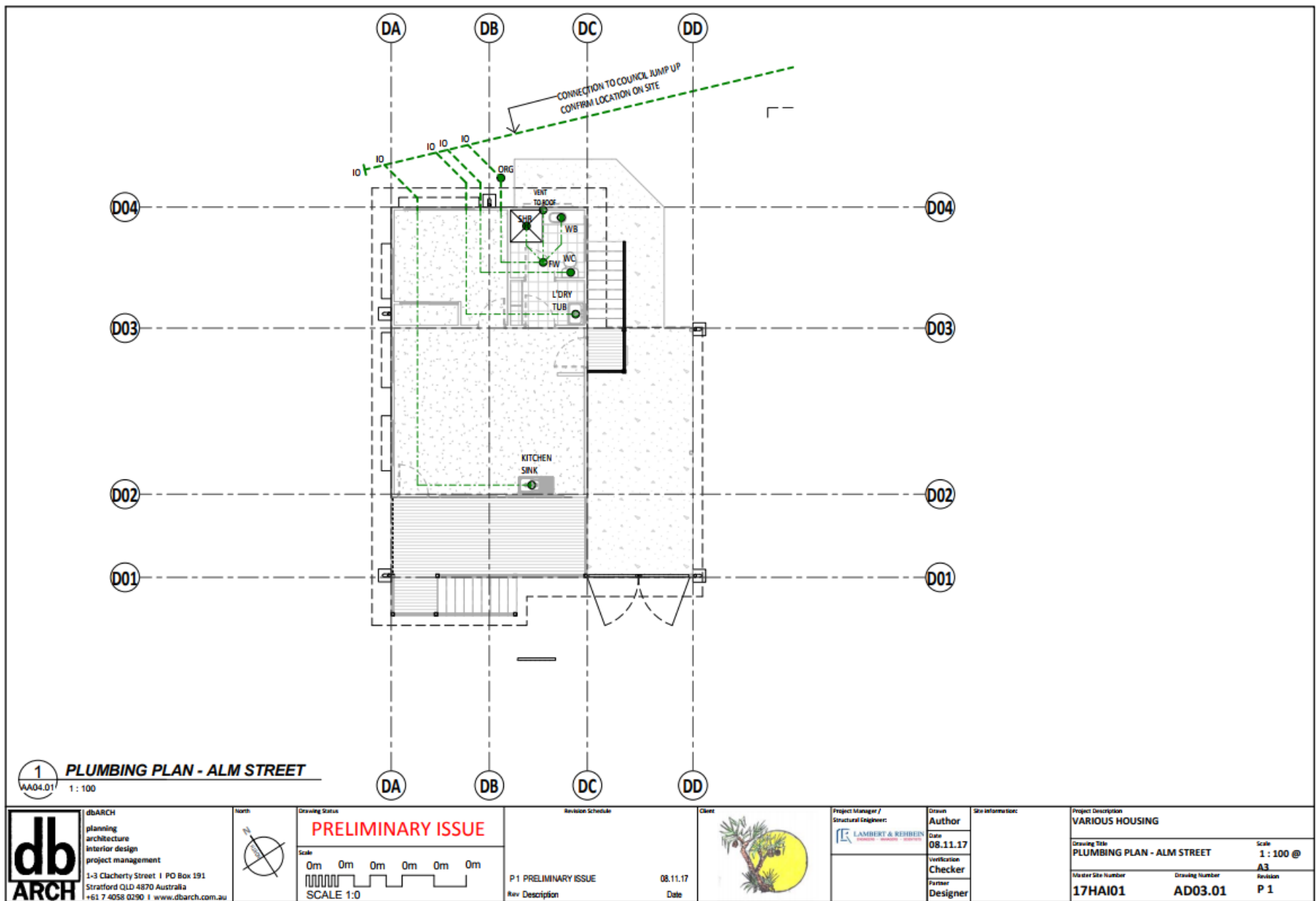
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P2 PRELIMINARY ISSUE	21.06.17
P1 PRELIMINARY ISSUE	20.06.17
Rev. Description	Date

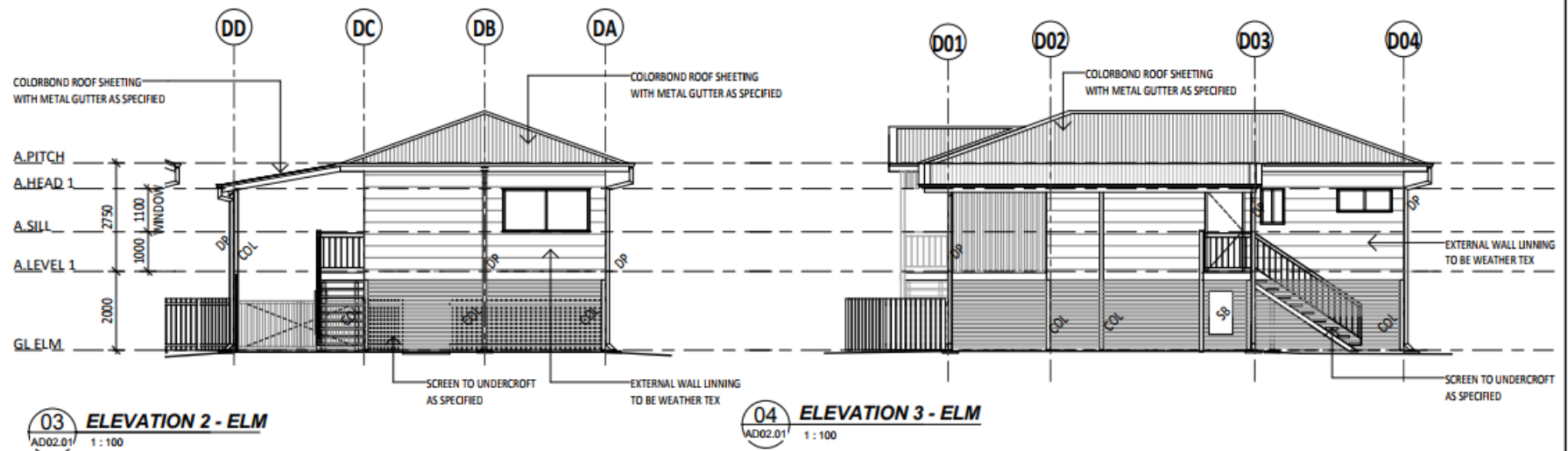
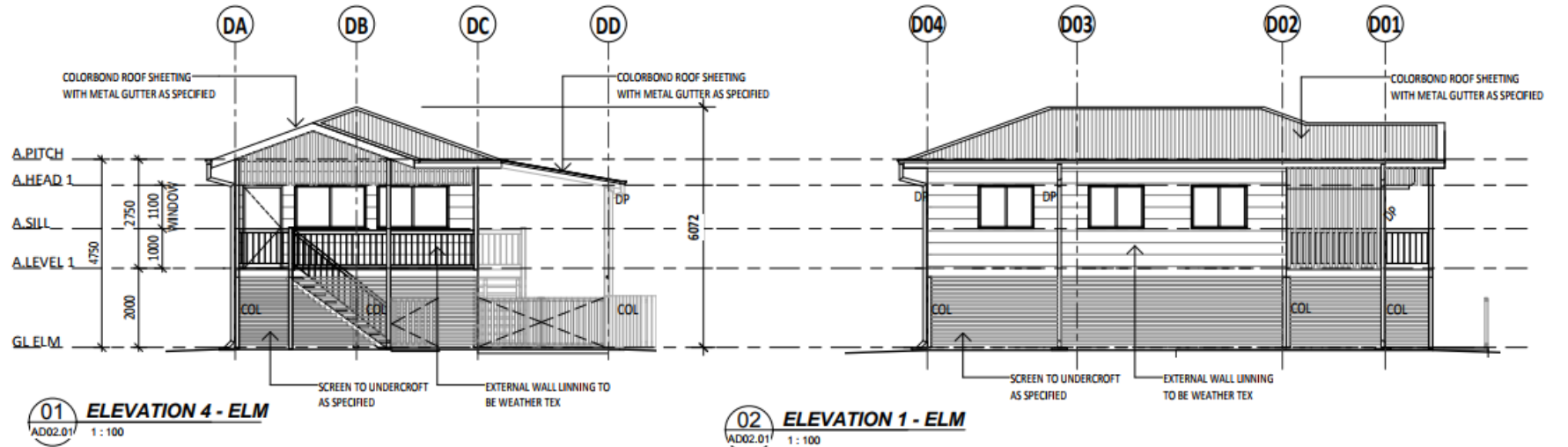



Project Manager / Structural Engineer:	Drawn
LAMBERT & REIDEN	Author
	Date
	08.11.17
	Verification
	Checker
	Former
	Designer

Site Information:

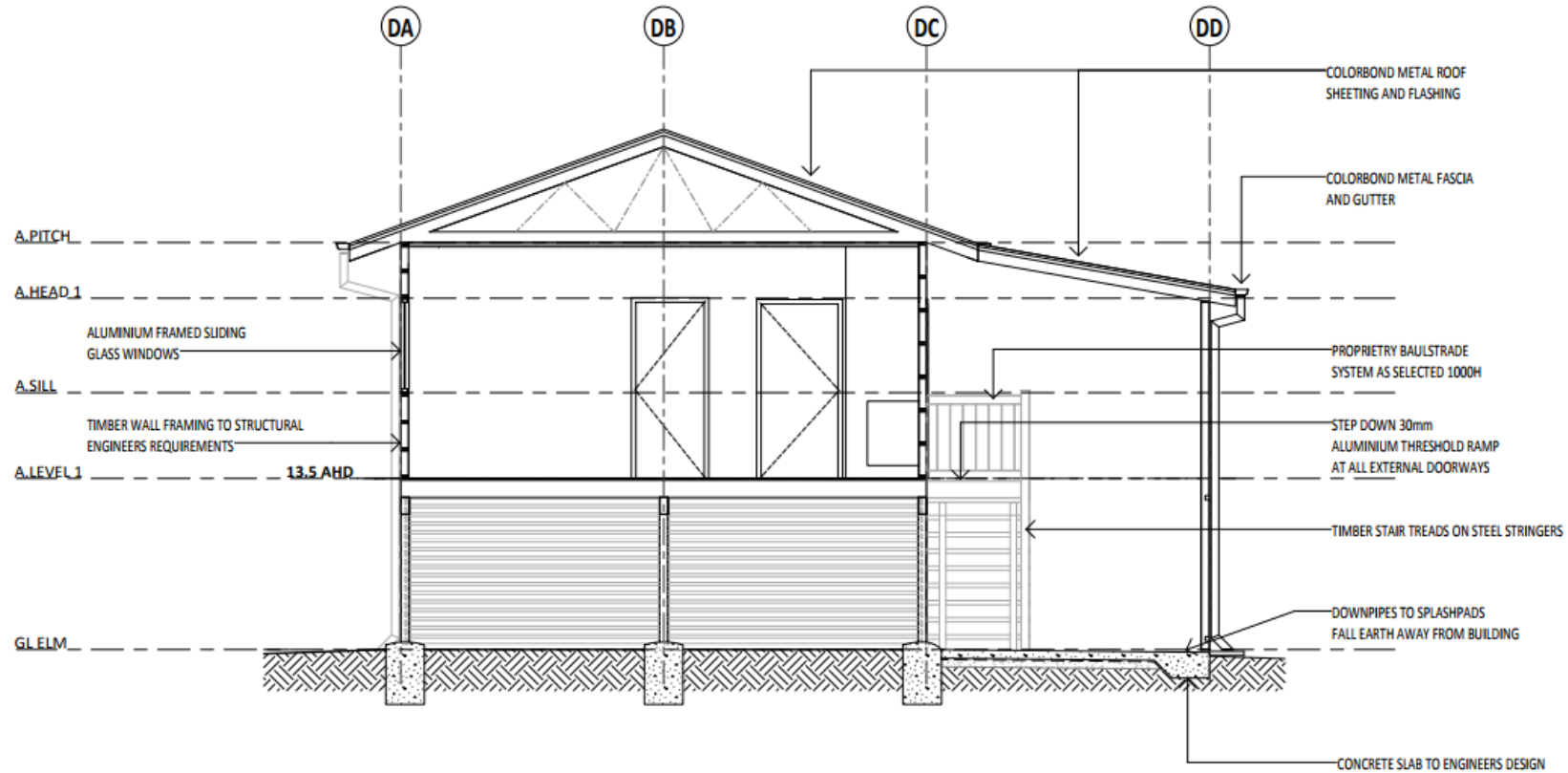
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Master Site Number	17HAI01	Revision
Drawing Number	AD02.02	A3
		P 4





db ARCH planning architecture interior design project management 1-3 Clacherty Street PO Box 191 Stratford QLD 4870 Australia +61 7 4058 0290 www.dbarch.com.au	North	Drawing Status PRELIMINARY ISSUE Scale 0m 1m 2m 3m 4m 5m SCALE 1:100	Revision Schedule P4 PRELIMINARY ISSUE 08.11.17 P3 PRELIMINARY ISSUE 06.07.17 P2 PRELIMINARY ISSUE 21.06.17 P1 PRELIMINARY ISSUE 20.06.17 Rev Description Date	Client 	Project Manager / Structural Engineer LAMBERT & REIBEN structural engineers	Drawn Author Date 08.11.17 Verification Checker Partner Designer	Site Information: Project Description VARIOUS HOUSING Drawing Title ELEVATION SHEET - ALM STREET Master Site Number 17HAI01 Drawing Number AD04.01 Scale 1:100 @ A3 Revision P 4
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STEP WET AREA JOISTS TO ACHIEVE
NIL STEP INTO ROOMS AND ALLOW
FOR WATERPROOFING



1

Section 1

1 : 50



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North

Drawing Status

PRELIMINARY ISSUE

Scale

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SCALE 1:50

Revision Schedule

P1 PRELIMINARY ISSUE

Rev Description

08.11.17

Date

Client



Project Manager /

Structural Engineer:

LAMBERT & REID

PLANNING ARCHITECTURE INTERIOR DESIGN

Drawn

Author

Date

08.11.17

Verification

Checker

Partner

Designer

Site Information:

Project Description

VARIOUS HOUSING

Drawing Title

SECTION SHEET - ALM STREET

Master Site Number

17HAI01

Drawing Number

AD04.02

Revision

P 1

Scale

1 : 50 @ A3

REFERRAL AGENCY RESPONSE

GE78-N



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

Department of State Development, Manufacturing, Infrastructure and Planning**Statement of reasons for application 1712-3073 SRA**(Given under section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

Applicant details

Applicant name: Hinchinbrook Aboriginal & Islander Housing Corporation Society
 Applicant contact details: C/- U&I Town Plan
 PO Box 426
 Cooktown QLD 4895
 ramon@uitownplanning.com

Location details

Street address: 8 Alm Street, Ingham
 Real property description: Lot 11 on RP717839
 Local government area: Hinchinbrook Shire Council

Development details

Development permit: Material Change of Use – Multiple Unit Development (3x 1-Bedroom Units)

Assessment matters

Aspect of development requiring code assessment	Applicable codes
Material Change of Use	State code 1: Development in a state-controlled road environment

Reasons for the department's decision

- The development does not create a safety hazard for users of a state-controlled road.
- The development does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works.
- The development does not result in worsening of the physical condition or operating performance of state-controlled roads or the road network.
- The development does not compromise the state's ability to maintain and operate state-controlled roads or significantly increase the cost to maintain and operate state-controlled roadways.

Decision

- The development application is for a Material Change of Use for a Multiple Unit Development (3x 1-bedroom units) on land located at 8 Alm Street, Ingham – more particularly Lot 11 on RP717839.
- The Department of State Development, Manufacturing, Infrastructure and Planning provided a referral agency response on 13 February 2017.

1712-3073 SRA

Relevant material on which the findings were based

- Development Application
- State Development Assessment Provisions
- Technical Agency Response
- *Planning Act 2016*
- Planning Regulation 2017



RA6-N



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

Our reference: 1712-3073 SRA
 Your reference: MCU17/0010

13 February 2018

The Chief Executive Officer
 Hinchinbrook Shire Council
 PO Box 366
 Ingham Qld 4850
council@hinchinbrook.qld.gov.au

Dear Sir/Madam,

Referral agency response—no conditions

Material Change of Use – Multiple Unit Development (3x 1-bedroom units) at 8 Alm Street, Ingham – more particularly Lot 11 on RP717839.

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

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 12 January 2018.

Applicant details

Applicant name:	Hinchinbrook Aboriginal & Islander Housing Corporation Society
Applicant contact details:	C/- U&I Town Plan PO Box 426 Cooktown QLD 4895 ramon@uitownplanning.com

Location details

Street address:	8 Alm Street, Ingham
Real property description:	Lot 11 on RP717839
Local government area:	Hinchinbrook Shire Council

Application details

Development permit	Material Change of Use – Multiple Unit Development (3x 1 Bedroom Units)
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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 2

North and North West regional office
 Level 4, 445 Flinders Street, Townsville
 PO Box 5666, Townsville QLD 4810

1712-3073 SRA

- 10.9.4.2.4.1 State transport corridors and future State transport corridors

No requirements

Under section 56(1)(a) of the *Planning Act 2016*, the department advises it has no requirements relating to the application.

Conditions

The department does not require any conditions to be imposed on the development approval.

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

For further information please contact Jeff Krafft, Senior Planning Officer, on 4758 3424 or via email NQSARA@dlgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
Manager (Planning)

cc Hinchinbrook Aboriginal & Islander Housing Corporation Society, ramon@uitownplanning.com



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 and 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.

