

YOUR REF:

OUR REF: MCUC 1329/2016 (769056)

9 March 2016

P B White
PO Box 981
PORT DOUGLAS QLD 4877

Attention: Penelope White

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 14 RIBBON AVENUE, PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 8 March 2016, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Daniel Lamond of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Hoyer', with a stylized flourish at the end.

Paul Hoyer
General Manager Operations

Att

APPLICANT DETAILS

P B White
PO Box 981
PORT DOUGLAS QLD 4877

ADDRESS

14 Ribbon Avenue, PORT DOUGLAS

REAL PROPERTY DESCRIPTION

Lot 54 on RP746145

PROPOSAL

Home Based Business (Manufacture of fermented products & probiotic beverages)

DECISION

Approved subject to conditions (refer to approval package below).

DECISION DATE

8 March 2016

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

No further Development Permits Required.

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)

Not in conflict

APPROVED DRAWING(S) AND/OR DOCUMENT(S)

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

Drawing or Document	Reference	Date
Commercial Kitchen Floor Plan	Plan drawn by applicant (Appendix 1)	19 February 2016
House Plan indicating proposed commercial kitchen	Plan drawn by Applicant (Appendix 1)	2 March 2016

ASSESSMENT MANAGER CONDITIONS:

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-

a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and

b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

Timing of Effect

2. The conditions of the Development Permit must be satisfied prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Limitations on Use

3. The Home Based Business is conducted by residents of the House and no more than 2 persons, who are not residents of the House, employed in association with the business.

4. The Home Based Business is located within the House and is limited to the area (24m²) marked on the approved plan/s of the House which is less than one third of the entire roofed area of the House.

5. The Home Based Business does not produce any odour, dust, vibration, noise or electrical interference which is detectable at the boundary of the Site.

6. The Home Based Business does not involve direct sales to the public from the premises.

Kitchen Facilities

7. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code. Please contact Councils Environmental Health Officers for further information.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 339 and Section 341 of the *Sustainable Planning Act 2009*.
2. The applicant/owner is advised that this approval does not approve the construction of the building work. A Development Permit for Building Work must be obtained in order for construction to commence.
3. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

LAND USE DEFINITIONS

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Home Based Business is defined as:

Means the use of a House and its surrounds, or an ancillary Building on the lot containing the House, by the permanent resident/s of the House for the conduct of a business, commercial or professional enterprise which is not industry based.

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

FURTHER ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of section 339 and section 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

RIGHTS OF APPEAL

Attached

End of Decision Notice

