

YOUR REF:

OUR REF: MCUI 1091/2015 (768128)

24 February 2016

J Rogers
24 Camelot Close
CAPE TRIBULATION QLD 4873

Attention: Jordan Rogers

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 3831R CAPE TRIBULATION ROAD,
CAPE TRIBULATION AND 3781R CAPE TRIBULATION ROAD CAPE
TRIBULATION**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 23 February 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 Simon Clarke of Development Assessment and Coordination on telephone number 07 4099 9480.

Yours faithfully

Paul Hoyer
General Manager Sustainable Communities

Att

APPLICANT DETAILS

J Rogers
24 Camelot Close
CAPE TRIBULATION QLD 4873

ADDRESS

3831R Cape Tribulation Road CAPE TRIBULATION, 3781R Cape Tribulation Road CAPE TRIBULATION

REAL PROPERTY DESCRIPTION

Lot 2, 1 on RP741072

PROPOSAL

- Outdoor Sport & Recreation (electrically assisted mountain bike tours)

DECISION

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

DECISION DATE

23 February 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
<i>Site Plan</i>	<i>NC3615 prepared by Consultant Design and Draft, Town Planning and Project Management Services</i>	<i>9 December 2015</i>

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; 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 effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Limitation on Use

3. The tracks are to be used for electric assisted bike tours and pedestrian tours only. General motor bike, quad bike or other motor transport is not to be part of the use.
4. The tours are to be conducted on the tracks generally as shown on the approved drawings and groups are to be supervised at all times by a tour guide.
5. Visiting groups are to dismount at creek crossings and walk bikes through creeks to reduce impacts on the creek environment.

Hours of Operation

6. The proposed use is limited to 7.00am – 6.00pm daily.

Advertising signage

7. One A-Frame Sign is approved for the tour operation and is to be located within the premises at all times.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

RIGHTS OF APPEAL

Attached

End of Decision Notice

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009